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ABSTRACT

This series of comprehensive task force reports on jails, prisons, and juvenile institutions presents overviews of corrective institutions in California, models, survey findings about the current systems, and a wide range of general and specific recommendations. Various tables and charts illustrate the data, which were collected by a review of the literature, site visits, interviews, and questionnaires. Improvement of correctional facilities should include closure of some institutions and extension of community services at the local level. Community interaction with the institutionalized persons is stressed, as well as the significance of orientation towards statewide goals and their achievement for corrective institutions. Objectives of the study and research methodology are discussed. Evaluation of rehabilitative programs and their administration is included. (AG)

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Coordinated California Corrections:

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JAILS
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PRISONS

Correctional System Study

VT016611

BOARD OF CORRECTIONS
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July, 1971

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CALIFORNIA CORRECTIONAL SYSTEM STUDY

Final Report

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INTRODUCTION: INSTITUTIONS TASK FORCE REPORTS

It is the view of this study that the most effective service which can be rendered to an offender, consequently resulting in the best protection of society, and probably also offering society the greatest economy, is community-based service provided by the local level of government.

Further, it is held that, when institutionalization is considered for an individual, the burden for placement of an individual in an appropriate facility, and demonstrating the need for such placement, rests with the system. Concurrently, there exists a burden upon the system to return the offender to the community at the earliest time possible, consistent with public safety. In order to accomplish this mission, it is deemed imperative that institutional programs be community-oriented, and that they be equipped to effect smooth transition into the community-at-large.

Despite this commitment to the value of community-based programs, the study recognizes that, for some offenders such programs are not adequate, and that, accordingly, there remains a need for institutional care of some persons.

Data provided by the California State Bureau of Criminal Statistics reveal that for every 100 Superior Court convictions, approximately 9 defendants are committed to prison, that approximately 4 persons are committed to the California Youth Authority for institutionalization, that approximately 4 persons are, by means of a civil commitment procedure, sent to the California Rehabilitation Center (for narcotics rehabilitation), and that some 41 persons are sent to local jails, either as a condition of probation or as the result of a straight jail sentence.[1]

Additional data reveal that, for every 100 referrals to a probation department by California's Municipal Courts, some 23 defendants are sentenced to local jails, and approximately one person is committed to the California Youth Authority for institutionalization.[2]

In respect to juveniles, data reveal that for every 100 youth who appear before California's Juvenile Courts, approximately 12 youth are committed to locally-operated camps, ranches, and schools, and approximately one youth is committed to the California Youth Authority.[3]

While it is true, as will be reflected later in this Task Force Report, that commitments to State-operated youth and adult institutions have decreased dramatically in the past few years, the operation of these institutions remains a costly burden to the taxpayer. For example, the yearly cost of maintaining a ward in a CYA facility is $6,754, and, should it become necessary for the State to build additional youth institutions, the construction costs, at present levels, will be $20,000 per bed.[4] In State-operated adult institutions, the yearly cost of maintaining a prisoner in custody is $3,012;[5] should it become necessary for the State to build additional adult penal facilities, the construction costs, at present levels, are estimated to range between $20,000 and $25,000 per bed.[6] In contrast, field supervision can be provided at a fraction of institutional cost; for example, CYA can supervise a juvenile parolee for $648 per year.[7]

When viewed nationally, correctional institutions are seen as large, antiquated, ill-equipped and poorly-staffed facilities, which are deprived of interaction with the community, and the effectiveness of which is more likely to be hindered than helped.[8] The institutions exist in an information vacuum, and are handicapped by a lack of public support. The horizon is dotted by large multi-purpose custodial facilities which are wasteful of both offenders and staff.

Although California's correctional facilities have had a national reputation for providing superior services to inmates, it is still true that many of its institutions are large, fortress-like concrete structures, generally isolated from the community, and frequently operated within an information vacuum. California's correctional institutions receive public support only sporadically. At times the public is willing to support institutions that are antiquated as demonstrated in its willingness to tolerate a jail that is a century old.

It must also be noted that, more often than not, correctional institutions have been built without much prior consideration of the programs they were to house, and in some instances, institutions have been built but never opened.

Authorities have developed a series of purposes for correctional institutions, as follows:[9]

> "1. To seek to limit confinement to persons actually requiring it, for only as long as they require it, and under conditions that are lawful and humane.
>
> 2. To afford both the community and the offender temporary and partial respite from each other in order to facilitate resolution of the crisis which led to commitment.
>
> 3. To make the confinement experience constructive and relevant to the ultimate goal of reintegrating the offender into the community and of preventing recidivism.
>
> 4. To educate the community and its agencies about the problems of reintegrating offenders in order to elicit their collaboration in carrying out specific rehabilitative efforts and in improving conditions which militate against such efforts.
>
> 5. To seek continual improvement in the system's capacity to achieve these ends."

It is the view of this study that neither the State of California, nor any of its political subdivisions, should erect correctional facilities without adhering to these purposes. Further, it is suggested that consideration be given to the closure of some existing institutions which, for one reason or another, cannot operate within the confines of these purposes; it is submitted that savings resulting from such closures could best be applied to local, community-oriented programs, subsidized by the State and operated by local jurisdictions under conditions and standards determined by the State.

FOOTNOTES

[1] Bureau of Criminal Statistics, Crime and Delinquency in California: 1969, State of California (Sacramento, 1969), p. 121; Bureau of Criminal Statistics, Adult Probation: 1969, State of California (Sacramento, 1969), p. 27.

[2] Bureau of Criminal Statistics, Adult Probation: 1969, op. cit., p. 30.

[3] Bureau of Criminal Statistics, Juvenile Probation and Detention: 1969, State of California (Sacramento, 1969), p. 1; Bureau of Criminal Statistics, Crime and Delinquency in California: 1969, op. cit., p. 179.

[4] 1970-71 cost data, provided by the Department of Youth Authority, State of California.

[5] Department of Finance, California State Budget: 1971, State of California (Sacramento, 1971).

[6] Data provided by Department of Corrections, based on construction of medium security facility.

[7] 1970-71 cost data, provided by the Department of Youth Authority, State of California.

[8] Joint Commission on Correctional Manpower and Training, Manpower and Training in Correctional Institutions: 1969 (Washington, 1969). (Should be ordered from the American Correctional Association.)

[9] Ibid., p. 36.

CALIFORNIA CORRECTIONAL SYSTEM STUDY

JUVENILE INSTITUTION TASK FORCE REPORT

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SUMMARY OF RECOMMENDATIONS

1. *The State of California should enact legislation clearly spelling out its role and binding commitment to acceptance of the primary overall and enabling responsibility for corrections throughout the State, with the counties having the primary responsibility for the delivery of correctional services.*

2. *The State of California should subsidize county camps, ranches, schools, and homes in accord with the overall subsidy program specified in the System Task Force Report. Essentially, that Report recommends subsidization for actual costs of maintenance and operation according to the following ratios:*

   a. *75/25--Probation field services, including day care programs. This means that the State would pay 75% of the costs and the counties 25%.*

   b. *60/40--"Open" institutions (facilities where youths reside but from which they have regular access to the community, e.g. group homes or facilities which send youths to school in the community).*

   c. *40/60--"Closed", but community-based and short-term institutions (i.e. youths normally reside in them 24 hours a day, but they are located in the community, have a high degree of interaction with the community, and limit length of stay to 6 months or less).*

   d. *25/75--Other "closed" institutions (i.e. those which commit youths for more than 6 months, or which are not located reasonably close to the communities from which the youths are drawn).*

   This subvention presumes an obligation on the part of the counties of adherence to State standards.

3. *On the other hand, assuming that the above recommendation is implemented, the counties should pay 75% of the actual cost for any youths committed to the State.*

4. *The California Council on Criminal Justice should provide whatever funds are available to help the counties develop those juvenile institutional programs that are most critically needed and which are consistent with the principles and standards set forth in Chapter III.*

5. *No youths should be sent to the Youth Authority reception centers unless it is absolutely necessary to resolve a specific problem of classification or diagnosis that can not be handled in any other way. All normal classification and diagnostic responsibilities should be delegated to the individual State institutions or should be performed at the county level via contracts before delivery of a youth to the CYA.*

6. *The Youth Authority Board should be relieved of the responsibility for making institutional assignments or transfers. These duties should be assigned to the CYA Intake Unit or other Youth Authority staff.*

7. *The Youth Authority should consider modifying its reception centers to provide one or more of the following:*

    a. *"back-up" facilities of a medical-psychiatric nature for short-term treatment of emotionally disturbed youths,*

    b. *model Youth Correctional Centers,*

    c. *small specialized units for the diagnosis and study of those youths for whom these services cannot be adequately performed elsewhere,*

    d. *travelling clinical teams to provide classification and diagnostic services for the other Youth Authority institutions and, on a contractual basis, for the counties.*

8. *The Youth Authority should more aggressively reject cases, or at least notify the committing court, when commitment does not seem necessary or where the CYA does not have appropriate programs (e.g. youths who belong in a mental health facility or program).*

9. *Each county should make available (either directly or by contract):*

    a. *A range of alternatives to institutionalization for every type of youth that can be satisfactorily supervised outside of institutions.*

    b. *A range of community-based, short-term facilities for those youth who need some type of confinement, with particular emphasis on proper facilities and programs for:*

        i. *emotionally disturbed youth*

        ii. *drug users*

        iii. *girls*

        iv. *young adults*

10. *The Youth Authority should place greater emphasis on developing, within their present institutions, small specialized units for different types of youths, particularly those mentioned in the preceding recommendation.*

11. *Whenever possible, State and county facilities should be co-educational.*

12. *Both the State and counties should develop more educational and vocational programs in which youths are sent into the community for training in existing programs.*

13. *No new facility should be constructed without a State-approved plan for a specific, detailed program based on clearly stated objectives. The State should play a more active role in assisting the counties to develop such plans.*

14. *Permissive legislation should be enacted allowing both the State and counties to contract with one another or with non-correctional agencies or individuals to provide any type of assistance in operating institutional programs.*

15. *All youth should be released from any non-voluntary institutional program within six months, unless the institutional staff can demonstrate that society will receive substantially better protection in the long-run by retaining the youth. Any extension beyond six months must be carefully reviewed at least every two months by the paroling authority or the court.*

16. *At both the State and county levels, greater use should be made of short-term (1 to 3 months) intensive institutional programs, followed by intensive aftercare supervision as required.*

17. *Unless the protection of society is substantially threatened, every institution (including the program for each youth) should be "open". Appropriate family members and other persons from the community should be encouraged to come into the institution and the youths should be allowed to go into the community for appropriate activities. Youths should never completely leave the community except when it is absolutely necessary.*

18. *Parole or probation officers should be assigned when a youth is committed, rather than when he is released. From the time of commitment, these officers should work with the youth and his family with the aim of preparing them for the youth's release.*

19. *Aftercare officers (probation and parole) should be assigned to a community-based unit rather than to an institution and should carry "in-and-out" caseloads of no more than 25 youths.*

20. *If CYA and CDC are consolidated into a new State Department of Correctional Services, all State institutional and parole services, juvenile and adult, should be in one division, so as to provide for a continuity of services (see System Task Force Report for more details).*

21. *No new facility (or modifications of existing ones) should be built, at either the State or county level, unless:*

    a. *The total capacity does not exceed 100 and the living unit capacities do not exceed 20.*

    b. *The facility is close enough to a major community (whenever possible, the community from which the youth are committed) to allow reasonably convenient two-way access.*

    There should be no construction of new State institutions for at least the next decade, although modification of existing State facilities might be in order.

22. *Legislation should be enacted authorizing the State to establish mandatory minimum standards for all juvenile institutions. Failure to adhere to these standards, at either the State or county level, should result in the closure of such institutions.*

23. *The numbers, qualifications, and training of staff should be brought up to the standards outlined in Chapter II.*

24. *Correctional staff should actively recruit, train, and supervise volunteers and para-professionals, including ex-offenders, for institutional programs.*

25. *The State should develop a training network of State and county trainers, similar to the CO-ACT model, to provide or coordinate necessary training for all institutional staff. This should be done without cost to the counties. Any extensive training provided by the State could be made available on a contractual basis.*

26. *Correctional personnel should be allowed to transfer between field and institutional assignments, and between various State and county correctional agencies, without loss of rank and other benefits, provided they meet the appropriate requirements. A statewide certification procedure, that would assure minimum staff standards, should be explored.*

27. *Active efforts should be made by institutional staff to involve the public on at least three levels:*

    a. *General public education and public relations.*

    b. *As a source of direct aid, e.g. financially and as volunteers.*

    c. *In an advisory capacity.*

28. *Every institutional program should be evaluated continuously in order to determine whether or not each is achieving its stated objectives. Failure to accomplish these objectives, provided reasonably adequate resources are available, should result in modification or elimination of the program.*

29. *County agencies, as well as the State, should substantially increase their commitment to evaluation and research both philosophically and by allocating significantly greater resources for this function.*

30. *Research activities should be team efforts (involving administrators, line workers, and research staff) and should concentrate on determining and disseminating information about what does and does not assist in accomplishing the goals of corrections.*

31. *The State and counties should enter into a collaborative effort of program research and evaluation. The State should play the primary role in planning, carrying out, and disseminating the results of correctional research, with active participation and cooperation from the counties. Research assistance and information should be provided for the counties without charge, but counties should be able to contract with the State or outside sources for extensive, individual projects.*

"With all the innovations and improvements (that may be made), an institution still remains, of course, an institution -- isolated from the community where its inmates must eventually make their way."

President's Commission on Law Enforcement
and Administration of Justice

CHAPTER I

INTRODUCTION

The Juvenile Court Act of California provides that the primary emphasis of the Juvenile court should be on working with the minor in his own home: "to preserve and strengthen his family ties wherever possible, and to remove him from the custody of his parents only when his welfare or safety and protection of the public cannot be adequately safeguarded without such removal". Whenever the minor is removed from his own family, the court has the responsibility to secure for him custody, care and discipline as nearly as possible equivalent to that which should have been given by his parents.[1]

The Act also provides enabling authority for juvenile institutions to be established to meet the needs of youth, declared wards of the juvenile court under the provisions of Section 601 or 602 of the Juvenile Court Act, who need placement outside of their own home.[2]

Viewed from the above perspective, California's juvenile institutions function as a "back-up" service to the first line efforts of the juvenile court. In this respect, the institutions are organized at two levels. The first level consists of a series of camps, ranches, schools and treatment facilities established by 23 of California's 58 counties so that juvenile court wards who require commitment might be placed in facilities in or near their county of residence. The second level consists of a series of institutions established under the jurisdiction of the California Youth Authority to serve as a further "back-up" system for those youths whose needs cannot be met at the local or county level.

The focus of study for the Juvenile Institutions Task Force was upon these two institutional systems: the loosely knit and generally uncoordinated institutional facilities operated by the counties of California, and the series of reception centers, boys schools, girls schools and camps maintained by the California Youth Authority.

I. STUDY OBJECTIVES

The study objectives for the Juvenile Institutions Task Force, based on those of the entire project, were as follows:

1. To develop a profile of the current use, resources, programs and functioning of California's juvenile institutions, i.e. to describe what they "look like" today.

2. To pinpoint the most important issues that prevail in these institutions.

3. To develop a model of how juvenile institutions should function.

4. To make recommendations that will help resolve these crucial issues and bring juvenile institutions closer to the "model".

II. SCOPE OF THE STUDY

The Juvenile Institutions Task Force carried out its study at two levels.

The County Level

This included juvenile homes, ranches and camps established under the provisions of Article 15, Sections 880 and 881 of the Juvenile Court Act; those 24 hour schools established under Article 18, Section 940; and those juvenile halls established under Article 14, Section 850, where the program had been modified to incorporate a short-term treatment or crisis intervention concept.

In accordance with the overall study design, efforts were concentrated in the 15 counties selected for the study's sample. After a review of the institutional services provided by these 15 counties, it was found that five (Humboldt, Sutter, Tehama, San Joaquin and Imperial) do not operate juvenile institutions aside from a juvenile hall. In these counties, the juvenile court either utilizes placement in private institutions or places juvenile court wards in facilities operated by another county on a contractual arrangement. With the exception of Los Angeles County, the study encompassed all of the institutions operated by the remaining ten counties. Because of the large number of facilities in Los Angeles County, a representative subsample of three boys' camps and one girls' school was utilized. Using this format, institutions studied at the county level included 14 boys' ranches, 4 girls' schools, and 3 short-term treatment units located in 10 counties.

The State Level

All operating facilities of the California Youth Authority were studied. This included three reception centers, six boys' schools, two girls' schools, and four youth conservation camps.

Limitations

In view of time and financial constraints, the study did not include the pre-court intake process, the juvenile halls, or detention practices. However, these were the subject of an extensive study in 1968 by the National

Council on Crime and Delinquency.[3] In addition, time and resources were not available to include study of the network of private institutions utilized by juvenile courts for placement purposes. Further, the study did not include the Department of Corrections institutions being used by the Youth Authority for approximately 500 Youth Authority wards, nor did it include the Department of Corrections Reception Center located at the Deuel Vocational Institution that serves as the point of reception and diagnosis for all superior court male Youth Authority commitments. However, these Department of Corrections facilities were included in the study carried out by the Prison Task Force.

Study Population

The study population included all of the institutions administered by the Youth Authority, encompassing a total of approximately 5,500 wards and approximately 2,500 staff members. At the county level, it included 21 county operated institutions encompassing a total of approximately 1,200 wards and approximately 450 staff members.

III. METHODOLOGY

The Juvenile Institutions Task Force conducted its study in four overlapping phases: review of the literature; institutional survey (facilities, programs, wards, staff); model-building interviews and panels; and data assessment. Additional information on study methodology may be found in the Systems Task Force Report.

Phase I. Review of the Literature

In this phase, an attempt was made to review all significant research and reports available on California's juvenile institutions, the most recent national publications dealing with training schools, and all publications of agencies having relevant standard-setting functions. This review afforded a comprehensive look at what was known and written about California's juvenile institutions and about correctional standards for youth facilities. However, time constraints limited the review of the broader literature to only a few of the most important and most recent documents.

Phase II. Institutional Survey

In Phase I it became clear very early in the study that California corrections, including its juvenile facilities, has been the subject of a great deal of study. There were a number of recent inquiries into operations of Youth Authority institutions; the educational and vocational programs had received recent evaluation; Youth Authority research had been active in a number of specialized programs; recent inspection reports were available on all county camps, ranches and schools; and there was recent information regarding recidivism rates available through the Bureau of Criminal Statistics and the Youth Authority. Hence, the following three principles were formulated to serve as guide-lines for Phase II.

1. To avoid duplication, maximum use would be made of existing research, inspection reports, and special task force reports.
2. The institutional survey would be carried out as expendiently and efficiently as possible, both to conserve project staff time as well as to conserve time and effort on the part of institutional staff and wards concerned.
3. Interviews would be conducted with institutional and other staff aimed specifically at clarifying key issues and gaining commitment to project goals on the part of key administrative staff.

Following these guide-lines, detailed questionnaires were constructed for both staff and clients with the aim of filling the gaps in the existing literature.

Staff Questionnaires. A questionnaire was used to survey institutional staff as a means of gaining their evaluation of the functioning of their respective institutions, their impressions regarding the clients served, and their reactions to a series of issues currently facing California institutions. The same questionnaire was used for staff at all levels in the county and State institutions.

This questionnaire was given to approximately 450 county correctional employees, representing all employees in county camps, ranches, girls' schools and treatment units in the study counties (except Los Angeles, in which instance a sub-sample of four institutional programs was used). Because of their very large numbers, it was necessary to select samples of Youth Authority institutional workers; thus, questionnaires were administered to a random sample of approximately 1,250 State employees representing roughly 50% of all Youth Authority employees in reception centers, schools and camps. Sixty-nine percent of all staff (76% of county workers and 66% of Youth Authority staff) completed and returned their questionnaires.

Client Questionnaires. A questionnaire was also constructed to obtain the views of juveniles presently confined in institutions. Task Force staff were particularly concerned with obtaining the client's expectations regarding their institutional experience, comments on what the commitment experience consisted of or meant, and their recommendations regarding change and improvement in the system.

The questionnaire was administered to clients either individually or in groups, with at least one Task Force member being available to answer questions and to help clients who had difficulty in reading, writing, etc. Despite rather rigid time constraints, project staff were able to administer the questionnaire to approximately 1,400 youths in 14 of the 21 county institutions and in 8 of the 15 Youth Authority institutions.

Phase III. Model-Building Interviews and Panels

In this phase of the project, Task Force staff met with top administrators, middle management staff, and key line staff at both the State and county levels to gain their input regarding concerns and recommendations for juvenile correctional systems of the future. At this point, the scope of the study for the county level was broadened to include all counties in the San Francisco Bay Area as well as all counties in the Los Angeles Basin. This expansion was undertaken because the San Francisco Bay Area and the Los Angeles Basin Area not only constitute the two major population centers in the State, but their future growth is anticipated to far exceed other areas of the State. Further, there are coordinating governmental associations in both areas, indicating that at some levels, at least, they consider themselves to be definable regions. This approach also permitted project staff to talk with a broader spectrum of correctional leaders and to gather information on programs not contained in the 15 county study sample.

The interviewing was done principally in panels. In each instance, participants were asked to focus on changes they would like to see made in the Juvenile Justice System and to project their ideas on what the role and function of the juvenile institutions would be within that system.

Phase IV. Data Assessment

Both staff and client questionnaires were key-punched and results were computerized. The model-building interviews were tape recorded. These recordings were subsequently reviewed and tabulated to select key issues and recommendations by personnel from the field.

Summary

The input for the findings and recommendations of the Juvenile Institutions Task Force came from a review of the literature; interviews with key administrators and other practitioners; computerized results of questionnaires given to all levels of staff; client interviews and questionnaires; and "model-building" sessions with statewide correctional experts.

FOOTNOTES

[1] Department of Youth Authority, California Laws Relating to Youthful Offenders, State of California (Sacramento: State Printing Office, 1969), p. 5.

[2] Ibid., pp. 48, 58.

[3] National Council on Crime and Delinquency, Locking Them Up: A Study of Initial Juvenile Detention Decisions in Selected California Counties (New York: National Council on Crime and Delinquency, 1968).

CHAPTER II

AN OVERVIEW OF JUVENILE INSTITUTIONS IN CALIFORNIA

The objective of this chapter is to describe the historical evolution of both the county and State networks of juvenile institutions. It mentions important legislation that has undergirded their development and describes some of the important features of the two systems, including the characteristics of youth who are placed in them. The chapter concludes by identifying trends that are suggested by the data, especially that of the growing State-county partnership in the realm of juvenile institutions and facilities.

I. THE COUNTY SYSTEM

Historically

Although there were a handful of historical precedents, the growth of county correctional facilities for youths has been a phenomenon of the last 35 years. The San Francisco Industrial School, the first juvenile correctional institution in California, opened its doors to local delinquents on May 3, 1859.[1] Aside from the "Training Ship, Jamestown", which rehabilitated youths on the high seas in the 1870's, juvenile facilities were almost non-existent until the early 1930's.[2] In order to cope with the increasing numbers of transient youth during the depression, some of whom inevitably ran afoul of the law, Los Angeles experimented with forestry camps under the joint supervision of probation officers and county forestry employees.[3] This program worked so well that the State enacted legislation in 1935 formally authorizing the establishment of forestry camps based on the Los Angeles model.

While the number of local camps grew only slightly over the next decade, it was not until the Legislature authorized subsidies in 1945, and particularly in 1957, that counties accelerated the building and use of a variety of juvenile correctional facilities. In 1945, under a section entitled "Juvenile Homes", the State broadened its earlier legislation to include juvenile homes, ranches and camps, as well as forestry camps. It authorized a specific maintenance and operation subsidy to encourage the development of local institutions and, concurrently, charged the Youth Authority (created in 1941) with responsibility for prescribing minimum standards of construction and operation. The size of each camp was limited to 100 children.

The 1957 legislation established an even stronger partnership between the State and counties. The State committed itself to providing matching funds, not only for maintenance, but also for the construction of any juvenile homes or camps that met minimum standards set by the Youth Authority. A limit on the State's share of expenses was set at $3,000 per bed for construction costs and $95 per month per ward for maintenance. These amounts have not been revised since 1957.

Article 15 of the Welfare and Institutions Code, which describes this program, underscores the purpose of local county institutions:

> "In order to provide appropriate facilities for the housing of wards of the juvenile court in the counties of their residence or in adjacent counties so that such wards may be kept under direct supervision of said court, and in order to more advantageously apply the salutary effect of home and family environment upon them....."

The Welfare and Institutions Code also makes clear that these facilities are not to be used for dependent or neglected youth.

Table I summarizes the growth of county juvenile facilities since 1932. It not only shows the number and capacity of all such facilities in the State, but it also indicates their average daily attendance over the past fifteen years. The data reveal that the number of facilities has more than doubled in the last decade and that the total capacity has increased markedly as well. At the same time, however, the average size or capacity of each facility has begun to show a significant decline. For example, between 1968 and 1969 there was a 15% decrease in the average capacity of county juvenile correctional facilities. The recent trend is due to development of day care centers and small, short-term treatment units. This trend is also reflected in the percent of available beds actually used. The percentage has been steadily dropping from 92% in 1960 to 73% in 1969-71, apparently the lowest rate of occupancy in the modern history of local juvenile facilities throughout the counties of California

Today

In the existing network of local juvenile institutions, 19 of the 58 counties are now operating their own facilities. In addition, 5 counties (Colusa-Yolo-Solano and Santa Barbara-Ventura) have entered into cooperative agreements by establishing joint facilities. As of February, 1971, there was a total of 68 county juvenile facilities in California. All of these are being subsidized by the State as a result of the legislation passed in 1945. These institutions include 47 facilities for boys (mainly camps and ranches), 18 for girls (primarily short-term treatment units and day centers), and 3 coed facilities.[4]

Geographically, 17 of the 68 facilities are located in the San Francisco Bay area (San Francisco, San Mateo, Santa Clara, Alameda and Contra Costa Counties); 42 are located in the Los Angeles Basin (San Diego, Orange, Riverside, San Bernardino, Ventura, Santa Barbara and Los Angeles Counties); and the remaining 9 facilities are scattered throughout the Central Valley and Northern California. Thirty-five of California's counties have no correctional facilities for adjudicated delinquents, forcing them to use their juvenile halls, to contract with another county, or to commit them to the Youth Authority when confinement is necessary.

While detailed analytic data do not exist for county juvenile facilities, the California Youth Authority and the Bureau of Criminal Statistics have been gathering descriptive statistics that can provide a general view

TABLE I

GROWTH OF COUNTY CAMPS[1]

Year[2]	Number of Facilities	Capacity	Average Daily Attendance	Percent Full
1932	2	130	----	----
1945	11	690	----	----
1955-56	16	975	851	87
1960-61	31	2000	1845	92
1962-63	41	2800	2316	82
1964-65	42	2894	2695	93
1966-67	50	3082	2639	86
1968-69	54	3476	3056	88
1969-70	68	3677	2698	73
February 1971	68[3]	3737	2721	73

[1] This information was compiled from various Youth Authority reports.

[2] From 1955, the statistics are based on fiscal years, except the last entry which is for the month of February, 1971.

[3] There were several new facilities from 7-70 to 2-71 but an equal number were consolidated or closed.

of these institutions. The first thing to note about county juvenile facilities is that they receive a significant proportion of adjudicated delinquents. Of youths appearing in California Juvenile Courts in 1969, 6,826 (12%) were commited to local camps, ranches, or schools for the first time.[5] An additional 1,728 youths were recommitted during that same year. As of December 31, 1969, there was an average of 54 delinquents housed in each county juvenile facility.[6]

Appendix A lists all county juvenile facilities as of March, 1971, their average monthly cost per minor, bed capacities, and average length of stay. It should be noted that some of these figures, especially the average cost, will have changed since the last inspection report on which they are based.

Financially, the average monthly cost of these institutions per youth ranges from $199 for a day care center operating out of a local high school to over $1,300 for an intensive treatment facility for "high-risk" girls.[7] For all institutions combined, the average cost per youth is $547. The cost tends to be considerably lower for day care programs and much higher for a number of girls' and coeducational facilities.

Facility sizes vary from small group homes for 6 or 8 youths to the 100 bed camps allowed by law.[8]

The average length of stay for youth in these facilities is 5.6 months. Several short-term treatment centers keep youths an average of barely more than a month, while some day care programs retain their charges for up to 14 months.[9] Perhaps the most notable trend is that the average period of commitment, even for regular camps and ranches, has declined considerably from the 7 month average reported consistently by the Bureau of Criminal Statistics between 1960 and 1967.[10]

Table II presents some characteristics of the youths who were sent to local juvenile institutions in 1969. The most significant factors are that 89% were boys; almost all of whom (92%) were between 14 and 17 years of age. Significantly higher proportions of minorities were committed than existed in the State's total population. By far the most common reason for committing these youths to local facilities was "delinquent tendencies" (30%). With the exception of sex and race, there is a sharp contrast between youths referred to local county institutions and those referred to the California Youth Authority. The latter group will be discussed in the next section.

II. THE STATE SYSTEM

Historically

As it is known today, the State juvenile correctional system was established with passage of the Youth Authority Act of 1941. Prior to 1941 there were three State institutions for youthful offenders. These were the Whittier State School for younger boys, Preston School of Industry for

TABLE II

COMPARISON OF JUVENILES COMMITTED TO CYA AND COUNTY CAMPS, RANCHES, HOMES AND SCHOOLS, 1969
(New Admissions only)

CHARACTERISTICS	COUNTY WARDS		CYA WARDS	
	NUMBER	PERCENT	NUMBER	PERCENT
Total commitments	6,826	100	4,494	100
Boys	6,078	89	3,860	86
Girls	748	11	634	14
Age				
12 and under	63	1	62	1
13	400	6	80	2
14	1,088	16	277	6
15	1,691	25	588	13
16	2,068	30	723	16
17	1,435	21	836	19
18 and over	81	1	1,928	43
Race				
White	3,698	54	2,409	54
Mexican-American	1,334	20	750	17
Negro	1,649	24	1,253	28
Other	145	2	82	2
Reason for commitment				
Homicide	14	0	69	2
Robbery	246	4	457	10
Assault	302	4	334	7
Burglary	1,019	15	589	13
Auto theft	752	11	389	9
Theft (except auto)	566	8	285	6
Sex offenses	39	1	124	3
Drug offenses	1,156	17	844	19
County camp failure or escape	---	--	461	10
All other specific offenses	718	11	418	9
Delinquent tendencies	2,014	30	524	12

Source: Bureau of Criminal Statistics, Crime and Delinquency in California: 1969, p. 179; Bureau of Criminal Statistics, Juvenile Probation and Detention: 1969, p. 72; Department of Youth Authority, Annual Statistical Report: 1969, pp. 12-15.

older boys, and Ventura School for Girls. These institutions, along with facilities for the mentally ill, were administered by the Department of Institutions. Each of the three institutions operated independently, and each provided statewide aftercare services for its own graduates. Two dubious "suicides" in the "disciplinary" rooms of one of the facilities aroused public attention to the primitive condition of the three institutions and resulted in a legislative investigation.

By coincidence, during this same period, the American Law Institute had drafted a model "Youth Correction Act" in response to the similarly publicized plight of young offenders in New York City. The Institute sent a special advisor, John Ellingston, to encourage the State's authorities to adopt the model Act. Although the "Youth Correction Act" was actually directed at the young adult population (roughly 16-23 years), it was modified to fit California's needs. The legislative result of Ellingston's efforts was the creation of the California Youth Authority which would have the responsibility of supervising all youths committed to the State by the courts. In this regard, Ellingston was quoted as saying: "...the decision to extend the Youth Authority plan to include all committed juveniles was not made by the American Law Institute...it was made by the stubborn and irreducible fact of the failure of existing industrial schools to provide delinquent children effective individual treatment...."[11]

The purpose of the Youth Authority Act was clearly stated:

> "to protect society more effectively by substituting for retributive punishment methods of training and treatment directed toward the correction and rehabilitation of young persons found guilty of public offenses."[12]

Passage of the Act resulted in the creation of the Youth Authority Board and the Department of the Youth Authority. The Youth Authority Board was given decision-making powers of accepting, transferring, releasing, and recommitting youths into and between the State's institutions. The Department of the Youth Authority was assigned all other designated "powers, duties, and functions" not specifically given to the Board. The Department of the Youth Authority also received very broad authority to carry out the stated purpose of the Act. This included the authority to build reception-diagnostic centers or other types of institution, to provide aftercare services, to engage in delinquency prevention, and to coordinate local juvenile correctional activities. In order to coordinate the functioning of these two bodies, a 1945 revision of the Act stipulated that the Director of the Youth Authority would also serve as Chairman of the Board.

A unique characteristic of the Act was its authorization for accepting jurisdiction not only of juvenile court commitments, but also of criminal court commitments (from both Superior and Municipal Courts) provided the youth was under 21 years at the time of arrest.

Shortly after its formation, the Youth Authority was caught up in the aftermath of California's post-war population explosion. In the first 12 years of its existence, the California Youth Authority's institutional population doubled from 1300 to 2526. During the next 12 years, however, the number of youths confined skyrocketed, increasing over 270% to an average daily population of 6893 in 1965.[13] This period was characterized by a forced expansion and multiplication of institutions to keep abreast of the growing tide of juvenile commitments.

Today

The Department of the Youth Authority presently consists of a sizeable network of 3 reception centers, 6 institutions for boys, 2 girls' schools, a large vocational training school for boys, and 4 youth conservation camps. In addition, CYA has 2 new facilities for older boys that have been completed but never staffed because of the declining institutional population over the past several years. Traditionally, the Youth Authority placed many of its older boys in various institutions operated by the California Department of Corrections (CDC). However, the Youth Authority is now committed to the idea of retaining as many of these youths as possible in its own institutions. But despite this commitment, it has been necessary to continue using CDC facilities. As of this writing one CDC facility is used as a reception center and permanent institution for several hundred older boys, and at least three other CDC facilities are used for small numbers of youth requiring specialized care. Finally, CYA also uses local jails and Department of Mental Hygiene institutions for a small percentage of its institutionalized youth.

A very clear and significant trend has been the reduction in commitments to the Youth Authority (as well as to the Department of Corrections) in the past few years. After a spiraling increase between 1941 and 1965, the institutional population has dropped steadily, particularly in the last two years, from a high of nearly 7,000 in 1965 to an existing level of approximately 5,500.[14] This decrease is occurring despite statewide increases in juvenile arrests, referrals to probation, number of petitions filed, and number of juvenile wardships declared.[15] Apparently the declining State institutional population is due to the increase of local facilities, the impact of the probation subsidy program and other factors as well.

Compared with local juvenile institutional placements, very few delinquents are referred to the Youth Authority. Only 417 or .7% of all those appearing in juvenile court in 1969 were sent to the Youth Authority on initial commitments.[16] Exactly the same percentage of municipal court offenders referred to local probation departments in 1969 were committed to the Youth Authority.[17] However, 4.3% of those convicted in superior court were so committed.[18] Of all Youth Authority wards in State institutions on December 31, 1970, 59% (57% of the boys and 84% of the girls) were committed by juvenile courts, indicating a rather high proportion (particularly for boys) committed from the criminal courts.[19]

The high cost of institutional care for delinquents is clearly seen in CYA expenditures. For fiscal 1970-71, $36,400,000 or 71% of the Youth Authority total "support budget" (i.e. for the Department itself) was spent on its institutions.[20] During the same fiscal year, the per capita cost per institution ranged from $4,648 for the conservation camps to over $9,000 for Los Guilucos School for Girls.[21]

Because CYA wards tend to be more sophisticated and have committed more serious delinquencies than youth referred to local county facilities, it is not surprising to find that their average lengths of time confined also differ. In 1970, the average length of time spent by CYA wards in State institutions was almost twice as long (9.2 months) as the average stay for youth in local facilities (5.6 months).[22] Boys in Youth Authority institutions averaged 10.5 months, while girls averaged 8.7 months.[23] Youth Authority male wards committed to CDC facilities averaged 15.1 months, while females spent 26.9 months before release.[24]

Since the Youth Authority itself publishes detailed profiles of its wards in its Annual Statistical Report, there is no need to duplicate that description here. However, the reader is referred back to Table II which provides comparative data on a few selected characteristics for wards placed in both county and State institutions. Aside from the average length of stay, the most obvious difference is that Youth Authority wards are considerably older. This is due principally to the fact that they were committed to CYA from criminal as well as juvenile courts. Only 1% of the wards sent to county camps, ranches, and schools are 18 years or older, while 43% of all Youth Authority wards are at least 18 at the time of their initial commitment. As might be expected, a significant portion of CYA wards (10%) were county camp failures or escapees. In addition, CYA wards are more than twice as likely, than wards in local facilities, to have committed crimes of violence --homicide, robbery, and assault. Finally, a surprising fact indicated in Table II is the unexpectedly high percentage of CYA wards who were committed for "delinquent tendencies". Fully 12% of this group was committed to State institutions in 1969 for exhibiting the myriad of traits and characteristics falling within this "omnibus" definition of delinquency.

III. SUMMARY

Both the State and county juvenile institution networks in California have expanded very rapidly during the past three decades. At present, they function as a two level "back-up" system for community-based correctional programs. Together the three components constitute "a juvenile correctional system widely acknowledged to be the most advanced in this nation".[25]

It is clear that during the past few years the trend has been away from the expansive use of institutions for young offenders. It is also fairly evident that the State has spear-headed this trend principally by creating subsidy programs in several areas. First, it is abundantly clear that the State's offer of camp, ranch, and school subsidies has led to greatly increased use of local correctional facilities for young offenders. Second, the probation subsidy program, introduced by the State in 1966, has resulted in a marked decline in the number of youths committed to State institutions. At the same time, there has been an increase in the number and types of field services offered. Finally, the recent development of short-term and day care facilities, made possible by State subsidies, has resulted in the significantly lower use of available camp beds even at the county level. The treatment philosophy that has been spreading throughout the State, especially with respect to young offenders, is clearly to provide local correctional services and to keep programs as community-based as possible.

FOOTNOTES

[1] Vaughn Roley, "A Century of County Camps", California Youth Authority Quarterly Vol. 17, No. 3, Fall, 1964, pp. 26-31.

[2] Ibid.

[3] Ibid.

[4] Department of Youth Authority, "Average Length of Stay, Costs, and Bed Capacity of County Operated Juvenile Homes, Ranches, and Camps", State of California (Sacramento, March 1971), (Mimeographed.)

[5] Bureau of Criminal Statistics, Juvenile Probation and Detention: 1969, State of California (Sacramento, 1970), pp. 1 and 64.

[6] Ibid., p. 64.

[7] See Appendix A.

[8] Ibid.

[9] Ibid.

[10] Bureau of Criminal Statistics, Crime and Delinquency in California: 1968, State of California (Sacramento, 1969), p. 168.

[11] Youth and Adult Corrections Agency, The Paroling Boards of the Agency, State of California (Sacramento, 1962), (Mimeographed.), Appendix I.

[12] California Welfare and Institutions Code, Section 1700.

[13] Department of Youth Authority, Annual Statistical Report: 1969, State of California (Sacramento, 1970), p. 22.

[14] Department of Youth Authority, "Monthly Statistical Reports", State of California (Sacramento), (Mimeographed); the 1-71 average daily population was 5,513.

[15] Department of Youth Authority, Some Statistical Facts on the California Youth Authority, State of California (Sacramento, January 1970), pp. 3-9.

[16] Bureau of Criminal Statistics, Juvenile Probation and Detention: 1969, op. cit., p. 1.

[17] Bureau of Criminal Statistics, Adult Probation: 1969, State of California (Sacramento, 1970), p. 30.

[18] Ibid., p. 27.

[19] Department of Youth Authority, *Characteristics of California Youth Authority Wards: December 31, 1970*, State of California (Sacramento, 1971), p. 1.

[20] Department of Youth Authority, State of California, Budget Analysis, 1970-71.

[21] *Ibid*.

[22] Department of Youth Authority, *Cost Comparisons*, State of California (Sacramento, March 1971).

[23] Department of Youth Authority, *Monthly Statistical Report: December, 1970*, State of California (Sacramento, 1970).

[24] Department of Youth Authority, Research Division, unpublished information as of this writing. The mean stay for girls would be 15.4 if 2 girls (1 who stayed about 4 years and the other 3 years) were not counted; this is true because there are so few CYA girls in CDC facilities.

[25] Don C. Gibbons, *Society, Crime, and Criminal Careers: An Introduction to Criminology* (Englewood Cliffs: Prentice-Hall, Inc., 1968), p. 517.

CHAPTER III

JUVENILE INSTITUTIONS MODEL

As a framework for the remaining discussion of juvenile institutions, a condensed "model" is presented in this chapter. The "model" consists of a brief statement of what juvenile institutions should "look like" or how they should function. It includes the goals which they should strive to achieve, the principles upon which they should be founded, and the standards to which they should adhere.

I. GOALS

The primary goal of juvenile institutions, as well as that of all corrections, should be the protection of society, i.e. minimizing the probability of recidivism. Ultimately all correctional programs must be evaluated in terms of their effectiveness in reducing the recidivism of offenders. Their secondary goals, and strategies for attaining goals, should be generally the same as for the rest of corrections, but with specific emphasis based on the nature of institutions and the specific populations juvenile institutions serve. The secondary goals include incapacitation, deterrance, and, particularly, rehabilitation and reintegration. It is the position of the Juvenile Institution Task Force that rehabilitation and reintegration normally are compatible with the protection of society. That is, society is normally best protected by the effective rehabilitation and reintegration of a youth in society. The strategies of juvenile correctional facilities should include special emphasis on environmental modification and changes, peer group influence, family and community involvement, and individual casework.

Realistic Expectations

Historically society has used institutions as rugs under which it can sweep those people who cause problems. Despite the best efforts of staff, correctional institutions in California, as well as elsewhere, are involuntary, unnatural, punitive, dehumanizing "dumping-grounds". The deprivations, degradation, embitterment, and stigmatization they impart to their captives have been recurrently documented in the correctional literature[1] not to mention in the stories of those who have been confined in them. Yet society continues to play the role of the proverbial ostrich, closing its eyes to the inherently negative aspects of institutions and expecting these institutions to somehow transform inmates into outstanding citizens.

Realistically, the most that can be expected from juvenile (or any other) institutions, as they are known today, is that they not exacerbate the problem by contributing to and reinforcing the delinquent careers of the youths they serve. Indeed, it is to be hoped that institutions have a positive impact on their lives by making them better equipped to adjust to society upon release. Institutions are undesirable places to put people, especially young people.

They should be used only as a last resort and for as brief a time as possible. Every effort should be made to avoid dehumanization and to provide genuine positive learning experiences that will help inmates to succeed when released back to their former environment.

II. PRINCIPLES

The System Task Force Report outlines the basic principles that should govern the entire correctional system. The statements below represent an application of these generic principles or guide-lines specifically to juvenile institutions. It will be apparent that many of them are also applicable to other types of correctional institutions and to field services.

Responsibility

Local communities should construct and operate a range of juvenile institutions necessary for the temporary care and control of those delinquents who cannot be dealt with entirely in the community. The State has the overall enabling responsibility for the entire correctional system and should assist substantially in the construction and operation of these local institutions by subsidizing them and providing the services such as consultation, standard-setting and enforcing, training, research, etc., necessary for the effective operation of these facilities. The State should also provide necessary "back-up" facilities of a specialized nature which would handle youths who cannot be adequately managed or treated in local institutions.

Reintegration

By their very nature institutions have the most difficult task of reintegration. They must recognize their temporary role and make every effort, consistent with public protection, to assist the offender in making a successful return back to the community as quickly as possible. This is especially true in the case of young offenders. In a sense, they must never leave the community even though they have been placed in an institution. The community should permeate the functioning of the institution so that their successful return to it will be maximized. Assistance to youths must be particularly intensified at the point of transition back into the community.

Coordination

In order to avoid duplication and to develop a continuum of treatment, there must be close working relationships between that part of the correctional system which commits youths to an institution, the institution, and that part of the system which supervises them upon release. Of particular importance are the links between institutional and aftercare services.

Community-Based

In order to maximize the principle of reintegration stated above, institutions should be located as close to the community of their clientele as possible. The task of reintegration is considerably more difficult if institutions are forced to serve youths who have been referred to them from different parts of the State.

Visibility and Accountability

The operations of any youth facility must be open to public view, both to permit scrutiny and to engender public understanding and support. Research and evaluation must be an integral part of every institutional program. An institutional program, indeed the very institution itself, should "live or die", based on whether or not it satisfactorily achieves realistic expected results. Institutions must be accountable not only to the officials who operate them, but also to their clients and to the public.

Burden of Proof

All institutional decision-making, including commitment, type of program or discipline, and release, should place the burden of proof on the system, not the youth, to justify any further degree of physical restriction or extension of restriction.

Public Involvement

Juvenile institutions should recognize the public's concern for its youth, and in turn should channel that concern into support. Institutions should develop and implement an effective program of public education. They should involve the community in a variety of ways, from direct financial and volunteer assistance to an advisory capacity in policy formulation. Community support and public involvement are required if juvenile institutions are to successfully achieve their objectives.

Change-Orientation

Correctional institutions have a marked tendency to preserve their existence and current modes of operation. Institutions tend to rigidify and become highly resistant to change. Juvenile institutions must avoid this tendency by retaining flexibility and creativity. A process of continual evaluation must be incorporated into their overall program and they must be geared to change. Indeed, institutions must be prepared to "self-destruct" if they are consistently failing to produce expected results.

Differentiation and Range of Services

Treatment of youth should be individualized. This requires both a range of different types of institutions and sufficient specialization of program within each to meet the needs of all young offenders requiring commitment. If correctional institutions do not have the necessary services, they should be able to contract for them or place the youth elsewhere.

Financial Support

Juvenile institutions, like all of corrections, must have the financial means to carry out effective programs, contract for necessary services, and experiment with promising innovations.

III. STANDARDS

Based generally on the broad principles stated above, the following specific operational standards should be followed by all juvenile institutions. The principal source for these standards is the 1967 Task Force Report on Corrections by the President's Commission on Law Enforcement and Administration of Justice.[2] These are the most recent national standards and before their promulgation they were reviewed by members of the American Correctional Association, the U.S. Children's Bureau, the National Council on Crime and Delinquency, and the Governor's Conference Committee on Juvenile Delinquency. All statements appearing in quotations have been drawn from these national standards. Other specific sources (principally the California Youth Authority's standards) are cited in footnotes.

Facilities

Type. Local correctional agencies should have a range of institutional programs and services available, including "diagnostic study centers, small residential treatment centers for seriously disturbed children, facilities for various age and coeducational groupings, foster homes, forestry camps, and other community-based facilities."

Size. The capacity of any juvenile facility, including State institutions, should not exceed 100 (which is the present California law for county facilities).[3]

"Living groups in a training school should consist of not more than 20 children. Forestry camp population should total no more than 40 to 50." More specifically, "standards generally call for the living unit to have a maximum capacity of 20 where groupings are homogeneous; the size for a heterogeneous group, or a group of severely disturbed children, should be from 12 to 16. Girls should have private rooms".

Planning. No new institutions or major additions to existing facilities should be authorized without first planning them around the specific type of program to be carried out in the institution. No new institutions or any major additions to existing facilities should be authorized unless the facilities are in locations conducive to the task of reintegrating their clientele into the community.

General. In general, the *Standards for Juvenile Homes, Ranches, and Camps*, published by the California Youth Authority in 1965,[4] or subsequent revisions should be adhered to by county institutions. The same or similar standards should also apply to State juvenile facilities. State or local fire, health, and safety regulations should be followed.

Staff

Ratios. "A minimum of one full-time psychiatrist for each 150 children".

"A minimum of one full-time psychologist for each 150 children."

If the specialization stated in the above three standards is not possible, there should be a minimum of one "treatment" or "professional" person (psychiatrist, psychologist, or social caseworker) for every 21 children.

"One trained recreation person for each 50 children."

"A minimum of one supervisor for 8 or 10 cottage staff, or one supervisor for 2 or 3 living units."

"A minimum of one teacher to 15 youngsters with sixth-grade reading ability and above"; proportionally more teachers are needed for those with lesser reading ability.

"Major religious faiths represented in a training school population should be served by chaplains on the training school staff."

An overall minimum of one supervision staff (line worker) position for every 5 to 6 children.[5]

An overall ratio of substantially more than one employee for every 2 youths.

Qualifications. Cottage or line staff should have "ability to relate to children, emotional maturity, and flexibility in adapting to new situations". While there is no rigid standard for this position, "graduation from college would be the preferred qualification".

In addition to the above qualifications, caseworkers should "have graduated from an accredited school of social work" or another of the behavioral sciences.

Superintendents, in addition to all of the above qualifications, should have completed training in modern management techniques.

Training. "A structured program of on-the-job training is essential for every correctional agency. Its elements are: (a) an orientation period for new workers, geared especially to acquainting them with the rules, procedures, and policies of the agency; (b) a continual in-service program designed to meet the needs of all personnel, including administrators and supervisors, through the agency directly and by participation in seminars, workshops, and institutes; (c) educational-leave programs with provision for part and full-time salaried leave, with financial assistance for educational costs, to achieve preferred qualifications and to improve professional competence."

New employees should receive at least 40 hours training before being assigned to supervise children.[6]

All staff should receive at least one hour per week of in-service training.[7]

Working Conditions. The standards for working conditions prescribed by the President's Task Force and the Youth Authority[8] should be adopted.

FOOTNOTES

[1] See, for example: Donald Clemmer, The Prison Community (New York: Holt, Rinehart and Winston, 1940), Chapter 12; Marshall Clinard, Sociology of Deviant Behavior (New York: Holt, Rinehart and Winston, 1957), Chapter 21; Edwin Sutherland and Donald Cressey, Principles of Criminology (Chicago: Lippincott Co., 1960), Chapters 23 and 24; Gresham Sykes, The Society of Captives (New York: Atheneum, 1965), esp. Chapter 4; Daniel Glaser, The Effectiveness of a Prison and Parole System (Indianapolis: Bobbs-Merrill Co., 1964), Part II.

[2] President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington: U.S. Government Printing Office, 1967), pp. 141-149; 206; 211-212.

[3] California Welfare and Institutions Code, Section 886.

[4] Department of Youth Authority, Standards for Juvenile Homes, Ranches, and Camps, State of California (Sacramento, 1965).

[5] Ibid., p. 12.

[6] Ibid., p. 13.

[7] Ibid.

[8] Ibid., pp. 10-17.

CHAPTER IV

THE CURRENT SYSTEM: SURVEY FINDINGS

Now that a brief overview of State and local juvenile institutions has been sketched and a theoretical model developed, this chapter will examine the results of the Juvenile Institution Task Force study of the current system. Particular emphasis will be placed on data obtained from the staff and client questionnaires. The analysis will be divided into sections on: (1) Goals and Expectations, (2) Functions, (3) Resources, and (4) Research and Evaluation.

I. GOALS AND EXPECTATIONS

Chapter III expressed the view of the Juvenile Institution Task Force that the protection of society (i.e. minimizing the probability of recidivism) should be the primary goal of correctional institutions as well as of all corrections, that the secondary goal is rehabilitation-reintegration, and that tertiary goals are deterrence and incapacitation. Both staff and clients were asked what they perceived to be the purpose of the institutions in which they worked or lived.

Staff Views

All staff were asked two distinct questions about goals: (1) "What should be the most important goal of corrections" and (2) "What actually is the most important goal of your agency?"

Seventy-one percent of the Youth Authority employees and 87% of county institutional personnel thought "rehabilitation" should be the primary goal of corrections while 24% and 10%, respectively, believed that "protection of society" should be most important. Responses to the second question were almost identical to the above, except that secondary choices were more varied. Variation by institution was considerable: from 51% to 100% of total staff at different Youth Authority institutions and from 25% to 100% of staff in county facilities stated that "rehabilitation" was the most important goal of their agency. Staff members employed in girls' schools, at both State and county levels, were strongest in their selection of "rehabilitation" as both the ideal and actual primary goal.

The data clearly suggest that marked discrepancies exist between staff perceptions and definitions of correctional goals and the position taken by the Juvenile Institution Task Force. While few county institutional systems had any official statement of goals and philosophy, the Youth Authority Act unmistakably states as its purpose: "to protect society".[1] Yet, the overwhelming choice of "rehabilitation" as both the desired and actual goal of corrections is abundantly clear, particularly in girls' schools and many small county facilities. It would appear that there is considerable variation and/or confusion not only in how individual staff perceive their task, but also in how they define and distinguish the various goals of corrections.

Client Views

Wards were asked for their perception of why they were sent to an institution. The most common responses were as follows:

30% -- "To learn how to get along better on the outside"

26% -- "To keep me away from where I might get into trouble"

18% -- "Because they did not know what else to do with me"

11% -- "To receive trade training or schooling"

They were also asked "What do your family and friends back home think of this place?" Half of the wards replied "a place to punish", while a third said "a place that helps". These data suggest that a substantial proportion of wards and their families and friends view these facilities as custodial institutions that are punitively-oriented.

II. FUNCTIONS

The principal functions or tasks of juvenile institutions personnel that will be dealt with here are: (1) Intake, (2) Reception, Classification, Assignment, (3) Care, Custody, Control, (4) Program, and (5) Placement and Aftercare.

Intake

While intake into the overall correctional system is outside the formal scope of this study, it is necessary to briefly discuss the processes by which wards are committed in order to better understand the operation of juvenile institutions.

County process. At the county level, all commitments to juvenile facilities are made directly by the juvenile court. Any minor coming within the provisions of Section 601 (evidencing delinquent tendencies) or Section 602 (violation of specific criminal laws) of the Welfare and Institutions Code may be committed to a local facility. County institutions have no legal basis for refusing any case referred to them by the juvenile court, provided the total population does not exceed 100. However, it should be noted that the law does require that, when a ward is considered unfit, the "director shall make recommendation to the probation department for consideration for other commitment".[2]

State process. Commitment to the Youth Authority is, at least theoretically, more involved. First of all, the Legislature, in 1941, prohibited any commitment to the Youth Authority:

> "until the Authority has certified in writing to the Governor that it has approved or established places of preliminary detention and places for examination and study of persons committed, and has other facilities and personnel sufficient for the proper discharge of its duties and functions."[3]

The Director so certified in 1942. While this was a one-time certification, there is an obvious credibility commitment that these conditions still pertain as long as youth are sent to the Youth Authority.

Secondly, within certain limitations, any court of record in the State of California may commit young offenders to the Youth Authority. The juvenile court may so commit anyone under its jurisdiction provided the youth has been declared a ward under Section 602, is at least 8 years old, and does not have an infectious disease. Any criminal court (municipal or superior) may commit anyone under 21 years at the time of arrest (with a few minor exceptions listed in Sections 1731.5 and 1732.7 of the California Welfare and Institutions Code).

Third, the Youth Authority is not legally bound to accept every case, i.e. it may reject any specific case. With respect to juvenile court commitments, Section 1736 of the California Welfare and Institutions Code simply states that the Authority: "may in its discretion accept such commitments" (emphasis added). Regarding criminal court commitments, Section 1731.5 of the California Welfare and Institutions Code indicates that the Authority "shall" accept any commitment, but only on two conditions: (1) "if it believes that the person can be materially benefitted by its reformatory and educational discipline" and (2) "if it has adequate facilities to provide such care."

Clientele. The single most important determinant as to the success or failure of a correctional system is its clientele. The degree to which a system can change the behavior of other persons is limited and depends greatly on the characteristics, motivation, and capacities of those individuals it is processing. Hence, it is essential to evaluate California's juvenile institutions in terms of the clientele with whom the system works.

Whatever other characteristics may apply to these youth, at least two things are evident in the case of those committed to county facilities. First, they have violated the law and, secondly, duly authorized decision-makers have felt that they could not be dealt with in the community. It can also be stated that when youths are committed to the State, the local communities felt they were not able to cope with them adequately, even by placing them in local institutions. The fact is that the great majority of these youths, particularly those sent to the Youth Authority, have extensive histories of delinquency, including a history of failure in normal probation supervision programs.

Chapter II capsulized some of the key demographic characteristics for State and county institutional populations in 1969. At the present time, there is little additional data available about county commitments as a total group. However, the Youth Authority publishes extensive "ward characteristic" data each year. Tables III and IV portray some of the most significant trends in Youth Authority populations, for boys and girls separately, over the last 10 years. Both tables clearly reveal a decline in population since 1965. This trend is in large measure due to the probation subsidy program initiated in 1966. The tables also show that over the past decade, the median age of wards has increased significantly; the percent committed from the criminal courts has risen (over 350% for girls); the proportions of crimes against persons and drug offenses have skyrocketed; and the percentage of "third time losers" has more than doubled for boys and more than tripled for girls. These changes would strongly suggest that the Youth Authority's population is becoming a more "hard-core" group.

Unfortunately, the most important types of variables, such as attitudes and "acting-out" potential, that are more adequate measures of "hard-core" delinquents, are difficult to measure and not normally available. A subsequent section on "Care, Custody, and Control" will discuss the growing concern of staff over what they clearly perceive as more disturbed and difficult-to-manage youths being placed under their charge. Particularly at the State level (both in institutions and parole), staff are becoming increasingly anxious and concerned about the high density of the "worst" youth in the system that are coming to them from the counties. In addition to this, 94% of Youth Authority and 76% of county employees indicated, on the staff questionnaire, that they have no voice at all in the process by which wards are sent to them. In short, institutional intake is a process over which the institutions themselves have little or no control. Staff members assert that clients are simply delivered to them and they are expected to perform a variety of services for them, as well as for society. Fogel, somewhat satirically, describes this situation from the point of view of State agencies:

> "All they are charged to do is to receive the failure cases of several dozen counties, concentrate the most volatile, hostile, antisocial, asocial, destructive, deviant group of youngsters in large complexes with ratios of one staff to from 30 to 50 (or more) wards, keep them against their wills, and with extremely limited budgets, poor community support, or downright hostility, treat them."[4]

In spite of the above concerns, significant numbers of staff seemed to agree that it was appropriate to send them the most difficult cases. Only 31% of State employees and 52% of county workers felt that all the youth they received needed institutionalization. Eighty-eight percent of Youth Authority and 68% of local staff stated that at least 10% of their clients "could be more appropriately handled in a community program", such as a half-way house or day care center. Only 8% of Youth Authority workers and 18% of county personnel thought that all the youth sent to their institutions were "appropriately placed" in the sense that the resources of their institutions were consistent with the needs of the youth they received.

TABLE III

CHARACTERISTICS OF YOUTH AUTHORITY BOYS IN INSTITUTIONS
JUNE 30 EACH YEAR, 1961 - 1970
(Showing percent of totals*)

BOYS IN INSTITUTIONS	JUNE 30 1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Total Population	4,340	4,578	4,943	5,117	5,353	4,827	4,894	4,922	4,748	4,541
Court										
Juvenile	62	64	65	67	70	70	69	64	63	59
Criminal	38	36	35	33	30	30	31	36	37	41
Commitment Offense										
Against persons	17	19	21	21	22	23	21	24	26	26
Against property	50	50	48	46	45	43	42	38	36	33
Drugs	5	4	4	5	5	6	9	12	13	15
Other offenses	27	27	27	28	29	29	29	27	25	26
Admission Status										
1st Commitment	66	61	58	55	56	55	53	54	54	58
1st Return	21	25	25	27	26	26	27	26	25	22
2nd Return	9	10	10	12	12	12	13	14	13	12
3rd or more	4	5	5	6	6	7	8	7	9	8
Ethnic Group										
White	56	55	54	52	50	50	50	51	50	48
Mexican-American	20	21	19	20	21	20	19	18	20	19
Negro	23	24	26	27	28	29	29	29	28	32
Other	2	1	2	2	2	2	2	2	2	2
Median age in years	18.1	18.0	17.9	17.9	17.9	17.8	17.8	18.2	18.4	18.6

Source: Department of Youth Authority, A Comparison of Youth Authority Wards: 1961-70, State of California (Sacramento, September 1970), p. 6.

*Except "Total Population" and "Median age".

TABLE IV

CHARACTERISTICS OF YOUTH AUTHORITY GIRLS IN INSTITUTIONS
JUNE 30 EACH YEAR, 1961 - 1970
(Showing percent of totals*)

GIRLS IN INSTITUTIONS	JUNE 30									
	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Total Population	453	503	636	587	665	657	588	562	619	527
Court										
Juvenile	96	95	95	93	93	94	93	90	89	84
Criminal	4	5	6	7	7	6	7	10	11	16
Commitment Offense										
Against persons	5	5	9	8	8	11	14	16	14	16
Against property	14	15	16	17	18	16	12	13	12	13
Drugs	3	4	6	6	5	4	6	6	12	12
Other offenses	79	76	69	69	70	69	68	65	62	59
Admission Status										
1st Commitment	73	70	69	66	67	62	58	56	57	62
1st Return	23	25	23	24	26	27	31	30	28	22
2nd Return	3	4	6	8	5	9	8	11	12	12
3rd or more	1	1	2	2	3	2	2	4	3	4
Ethnic Group										
White	59	53	55	54	53	53	53	51	56	57
Mexican-American	16	16	14	14	15	14	15	16	12	11
Negro	23	27	28	29	29	31	30	31	28	29
Other	3	4	3	3	3	2	2	3	3	3
Median age in years	16.2	16.3	16.4	16.5	16.6	16.5	16.6	16.9	17.0	17.3

Source: Department of Youth Authority, A Comparison of Youth Authority Wards: 1961-70, State of California (Sacramento, September 1970), p. 7.

*Except "Total Population" and "Median age".

Reception, Classification, Assignment

To assure adherence to the principles of coordination between the parts of the correctional system, providing a continuum of treatment, and appropriate differentiation in the treatment of youth (described in Chapter II), an effective classification system is essential. Within an institutional framework, the classification process is the pivotal link between what has occurred before confinement and what will occur in the institution. In brief, its task is to evaluate a client's current needs and plan a correctional strategy.

At the county level, where maximum correctional services should be available, classification on any sophisticated level is almost non-existent, particularly in the smaller counties. This is evidenced by the fact that the counties often request the State to furnish diagnostic services for both juveniles and adults (per Sections 704 W & I and 1203.03 P.C.).

The Youth Authority, on the other hand, has special reception centers which perform classification functions for all committed wards. It operates three separate reception centers or units. The Northern Reception Center receives both boys and girls. The Southern Reception Center is for boys only, and there is a reception center for girls at the Ventura School. In addition, some of the wards committed by the criminal courts are referred to the reception center at the Deuel Vocational Institution operated by the Department of Corrections. The three Youth Authority reception centers evaluate each ward for an average of 4 weeks.[5] The evaluation process is somewhat longer at the Deuel Vocational Institution. Reception centers make recommendations as to the type of program in which the youth should be placed.

Responses from the staff questionnaire, interviews, and relevant literature suggest three problem areas related to how youth are received, classified, and assigned within their particular institution. These are time delays, quality of information, and use of classification materials.

Time delays. Only 35% of Youth Authority staff and 74% of county staff reported that they receive both advance notification and relevant case history material prior to the delivery of a youth at their institution. Individual county facilities varied from 33% to 100% in affirmative responses to this question. Curiously, 61% of Youth Authority reception center staff reported that they receive prior notification and case material from the committing counties while a far lower percentage of staff from other Youth Authority institutions (particularly the large facilities for boys) received this information from their own reception centers. This suggests that there is closer coordination between individual counties and Youth Authority reception centers, than that which exists between YA reception centers and its institutions. In instances where case material is not delivered with the youth, questionnaire results showed that it normally took 2 to 7 additional days before the information was received.

State reception center personnel indicated that they have the most difficulty in obtaining school data on their wards. In most cases, information regarding the youth's school adjustment in the local school district (or even county institutions) is not received in time to be of any assistance. Frequently this necessitates duplication of testing procedures.

Quality of information. Only 25% of Youth Authority reception center staff and 30% of county staff reported that they ever receive a classification of the youths committed to them. Amazingly, from 14% to 53% of the staff at various Youth Authority institutions said they either did not receive classification information on wards sent to them, or did not know that classification information was even available. This finding takes on added significance when it is remembered that all Youth Authority wards are routinely classified at the reception centers.

Reception center workers feel that many of the reports they receive from the counties are prepared with commitment in mind and, therefore, do not provide the comprehensive information needed by the reception center. The phenomenon of selective reporting has long been documented. The Governor's Special Study Committee on Juvenile Justice in 1960 reported:

> "Present court reports appear to be prepared with the thought of supporting a given disposition recommendation. Thus, if the probation officer feels the child should be removed from his home, the social report often contains selected information, incidents, and hearsay which would allow the juvenile court judge to support this recommendation. Similarly, when a dismissal of the petition is recommended, social evaluations are equally selective. Since cases are not thoroughly aired in court - the average hearing takes less than 15 minutes - there is little opportunity for the judge to personally verify the facts or to obtain other information which might logically suggest a different but more appropriate disposition."[6]

Similarily, in analyzing the court reports of a series of cases under commitment to the Youth Authority, Fogel concluded that there was a relationship between a "report's complexity and the disposition of the case".[7] He found that 62% of the total volume of reports presented to the court at the time of the youth's first hearing was devoted to social analysis. The remaining 38% was devoted to the offense. At the time of commitment to the Youth Authority, the composition of the court report had reversed itself. Fully 70% of the report was devoted to a description of the offense and only 30% devoted to social analysis.[8] Though the nature of the offense resulting in commitment was likely to be more serious, and while the increased use of defense attorneys required better support of a case, these figures strongly suggest that "social factors" are increasingly neglected or condensed in reports when commitment is anticipated.

It is a fact that county juvenile probation departments frequently have prepared lengthy case histories at a cost of hundreds of dollars on youths they send to the Youth Authority. Yet, the information continued in these case histories is not communicated fully to Youth Authority reception centers and institutions. All too frequently, a sort of "shell game" exists in which that part of the system currently having jurisdiction over the client must figure out under which "shell", or other part of the system, needed information about the youth is located.

Use of classification materials. Table V summarizes the questionnaire results related to this topic. Only two-thirds of State staff and 43% of county personnel reported that their institutions used any classification system. Approximately two-thirds of those persons had been trained in the classification system used by their facility. Only 29% of State workers and 22% of county employees felt the classification system they used was of any help in treating the youths under their supervision. The majority of staff supported the concept of "matching" worker with ward.

A remarkable finding uncovered by the survey was the lack of knowledge by so many staff as to what was occurring in their own institution. There was no Youth Authority institution, and only one county facility, in which all staff knew whether or not a classification system was being used in their institution. Some of the Youth Authority staff employed in institutions other than the reception centers felt that much of the diagnostic-classification materials prepared by the various reception centers was of little value to them. They frequently had to re-diagnose and re-classify the youths sent to their respective institutions. Questionnaire results showed that more than a third of the Youth Authority staff in institutions indicated that they reclassified, at least some of the wards, that had previously been classified by the reception centers. These findings clearly reveal a duplication of efforts. In fact, only one facility indicated much satisfaction with reception center reports -- a girls' school which has its own reception center attached. A major reason for this appears to be the close relationship between the receiving-classifying unit and the main institution, fostered by at least some rotating of staff between them. In other reception centers, staff often had little or no first hand knowledge of the programs for which they were recommending youths.

Despite efforts to use sophisticated classification systems, the most commonly utilized criteria for assignment of a youth to a program was "age and maturity", followed by a "formalized classification system" and "available bed space". However, it should be noted that there was tremendous variation in the weight given to these factors by different institutions and by different individuals within the same institution.

Summary. The above findings reveal several significant problems related to the receiving, classifying, and assigning of youths in institutions. First, local information such as school records is often not reaching institutions, particularly the Youth Authority reception centers, in time to be useful. This is resulting in costly duplication of efforts. Second, full "social history"

TABLE V

USE OF CLASSIFICATION MATERIALS
(Staff Responses)

QUESTION	PERCENT	
	CYA	COUNTIES
1. Does your institution use a classification system?		
Yes	66	43
No	10	40
No information	23	18
2. Have you had training in the classification system used by your institution?		
Yes	43	28
No	42	34
No system used	5	20
Not applicable	11	19
3. Do you yourself use a classification system with youth under your charge?		
Yes, but it is not a significant help in treatment	11	6
Yes, it is a significant help in treatment	29	22
No	36	53
Not applicable	24	18
4. Do you think that staff should be classified and in some way matched with youth they supervise?		
Yes	68	52
No	32	48
5. Rank the following items in order of importance in determining youth assignments in your institution:		
Age and maturity	1	1
Formalized classification system	2	2
Available bed space	3	3
Informal classification system	4	4
Other (i.e. not in this list)	5	7
Type of offense	6	8
Institutional need	7 (tie)	5
Custody and runaway potential	7 (tie)	6

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data are frequently not included in reports sent to institutions. Third, sophisticated classification systems have not been adequately developed, understood, and used consistently and effectively for treatment purposes. Fourth, there are significant gaps and overlaps between the Youth Authority's reception centers and its other institutions, raising the question of how valuable or necessary the reception centers are.

Care, Custody, and Control

The trend toward localized corrections and the use of alternatives to institutionalization, both augmented by State subsidies, has resulted in a change in the types of youths being committed. The current institutional population consists increasingly of young persons who are least able to exercise socially-acceptable behavior. In the survey, one of the primary concerns of staff centered on the increasing numbers of difficult-to-manage youths that had been committed to institutions within the last three years. Table VI summarizes staff questionnaire responses related to how they perceived their institutions were faring in regard to the care, custody, and control of their charges.

County personnel generally felt they were doing a good job in caring for and controlling the majority of wards placed in their facilities. However, they indicated that runaways were an increasing problem. Administrators stressed that their open, minimum custody facilities no longer provided the degree of security and custody needed. Only 64% of county staff (and only one-third of State employees) felt that they had an effective program for runaways. Staff members expressed by far the most concern over the rapidly growing numbers of emotionally disturbed youth they were receiving. Many county authorities reported that because of the closing of State Mental Hygiene resources, resulting from recent statutory amendments, and the lack of expansion of local resources, they were unable to cope with many of these seriously disturbed youth. Only 46% of local personnel (and 26% of Youth Authority staff) believed that their programs were effective for the emotionally disturbed youth. As many of these youths were being processed through the juvenile courts, they backed up in juvenile halls while awaiting placement, and frequently the authorities were forced to send them to county camps and ranch programs. Correctional personnel thus have been forced to program their institutions for a completely different type of ward than those for whom the facilities were established. Administrators are experiencing a serious lack of appropriate facilities, personnel, and training. Counties with short-term institutional treatment programs seemed much better equipped to handle this problem. Many of the other county administrators interviewed were considering the possibility of converting a portion of their juvenile halls into short-term treatment units built around a crisis intervention model.

As mentioned earlier, the State has been asserting for some time that its population is becoming increasingly more difficult to deal with. A 1969 Youth Authority report, The Disturbed and Intractable Wards, concluded that "the Youth Authority has a more difficult, more delinquently-oriented, more emotionally disturbed population than any other juvenile institution system in the country, probably in the world".[9] This contention was based on three

TABLE VI

EVALUATION OF CARE, CUSTODY, AND CONTROL
(Staff Responses)

QUESTIONS	PERCENT	
	CYA	COUNTIES
1. With respect to its functions of care, custody, and control in the past year, has your institution:		
Lost ground	31	16
Held it own	28	31
Improved	41	53
2. How do you assess your institution with respect to care of wards?		
Poor	6	2
Average	16	8
Good	89	90
3. How do you assess your institution with respect to custody of wards?		
Poor	23	18
Average	33	36
Good	44	46
4. How do you assess your institution with respect to control of wards?		
Poor	22	4
Average	31	20
Good	46	76

TABLE VI (continued)

QUESTIONS	PERCENT	
	CYA	COUNTY
5. In the past year, have the characteristics and needs of institutionalized youths:		
Remained same	17	30
Changed slightly	42	50
Changed drastically	41	20
6. In the past year, has the number of assaults on staff:		
Decreased	14	9
Remained same	32	74
Increased	54	17
7. In the past year, has the number of racial and ethnic assaults among youth:		
Decreased	13	16
Remained same	39	75
Increased	48	9
8. In the past year, has the number of runaways:		
Decreased	15	16
Remained same	34	30
Increased	52	53

factors. First, California's local camp system is by far the most developed in the country and handles roughly the "best one-third" of confined youths in the State, leaving only the harder-to-manage cases for the Youth Authority. Second, the probation subsidy program has been siphoning off an additional portion of the more tractable wards. Third, society's general unrest and turmoil, particularly among the young, evidenced by civil rights activity, distrust of the establishment and occasional defiance of authority, and racial conflict, have become intensified in institutional populations. Charts I to VI, showing updated data from the above-mentioned study, reflect the marked increase in serious "acting-out" behavior among institutionalized wards from 1965-70. The report concluded that little could be done to alleviate these problems without significantly increasing the staffing ratios, reducing living unit size, and strengthening the whole range of medical-psychiatric resources.

As seen in Table VI, the Task Force staff questionnaire responses substantiate the Youth Authority's overall concern about its custody and control functions. Since the publication of the above report, i.e. in the past year, "acting-out" incidents have risen sharply. Both classification unit personnel (who review all new commitments) and reception center workers confirmed the opinions of other staff that a higher proportion of intake cases consist of seriously disturbed youth.

Program

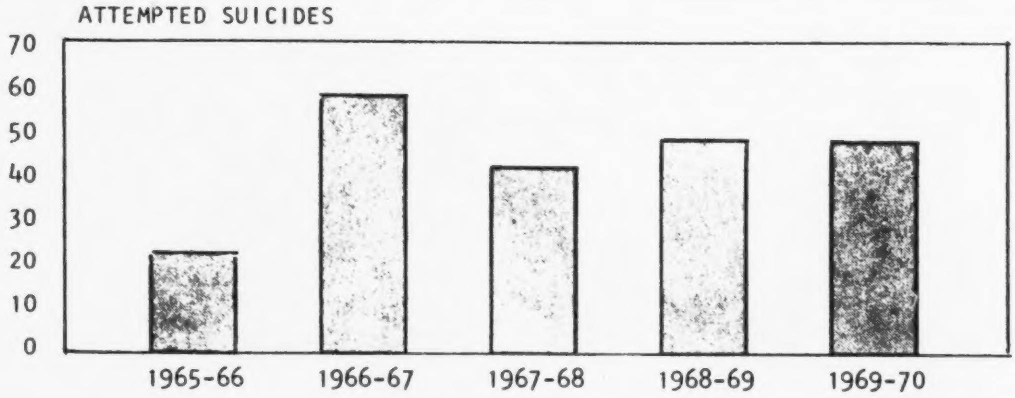
As is true with any part of the correctional system, program is the backbone of the entire operation--the core of its very existence. Everything else is auxiliary. Because society has traditionally shown greater concern about its children, correctional administrators have usually been able to secure more resources for programs in juvenile institutions than is the case with adult offenders. However, even correctional programs and facilities for children traditionally have been weak and have been subordinated to the needs of the institution. In discussing training schools across the country, Gibbons summarizes their program history:

> "Training schools in the past have usually operated a minimal treatment program. Most inmates have been placed in a school program or some kind of vocational or other work experience. Occasionally they receive some kind of individual therapy from a social case worker, but this tends to be a relatively infrequent event."[10]

He adds that, even in California, "where treatment goals have been emphasized in State institutions for several decades, training schools place primary emphasis upon regimentation of youngsters in the interests of controlling them".[11]

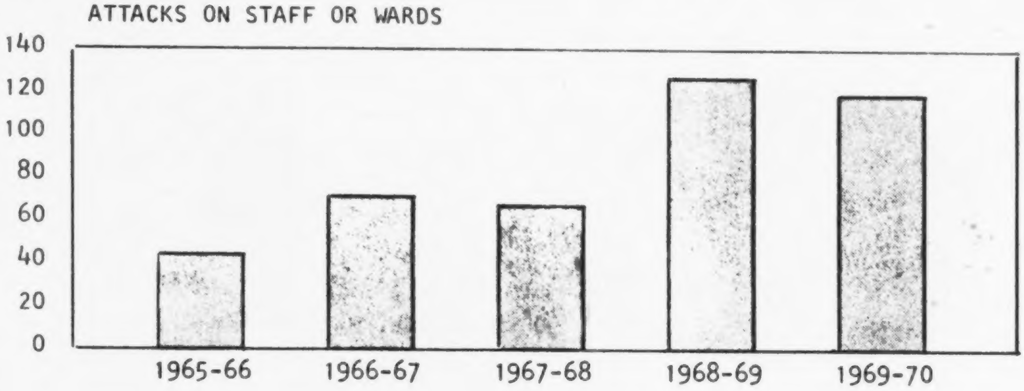
In general, there are three major types of programs that do or should exist in juvenile institutions: treatment, education, and work or vocational training.

CHART I



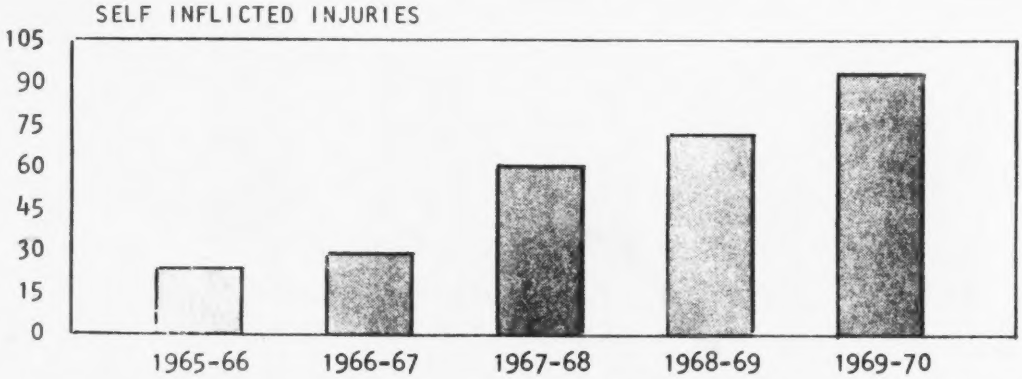
Attempted suicide is an incident where a ward, in the judgment of staff concerned, has made an attempt to take his life. Deaths occurring from these attempts are included in this category.

CHART II



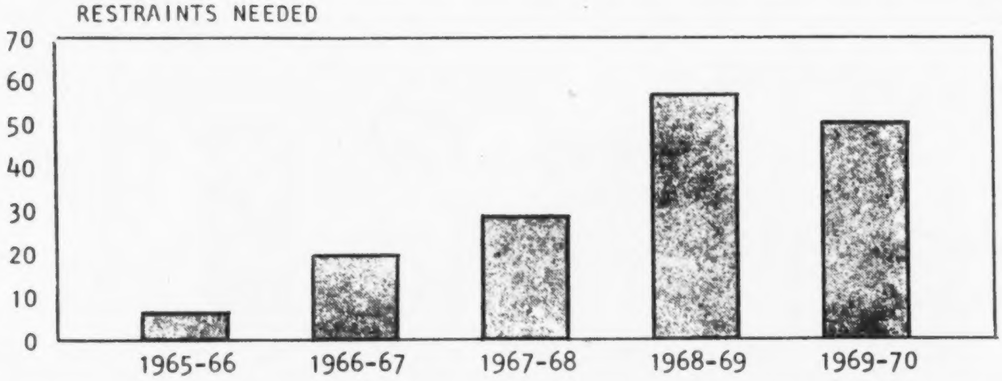
Reported in this category are unprovoked attacks or assaults by a ward on another ward or staff.

CHART III



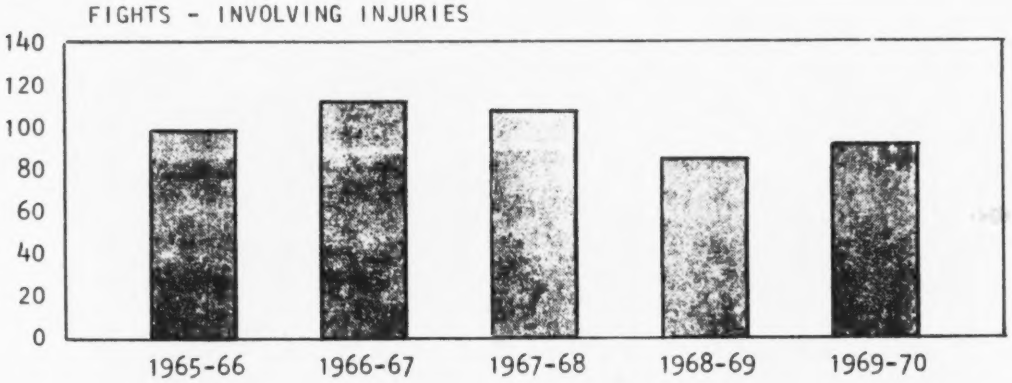
These are incidents in which a ward has voluntarily injured himself, e.g., shoving his hand through a window, striking a wall, etc. Also included in this category are suicidal gestures without a clear suicidal intent.

CHART IV



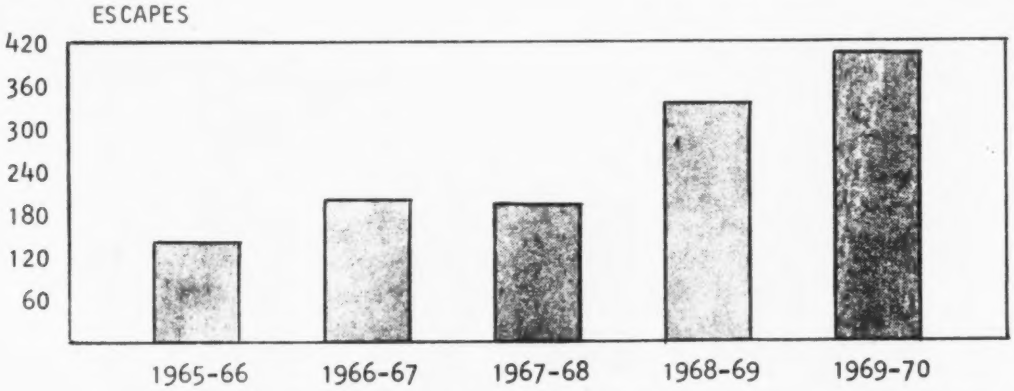
This is a combination of both mechanical and chemical restraints. It involves either the use of handcuffs or camisoles, or the use of mace or tear gas.

CHART V



The data given on fights reflect only those fights occurring (normally between two wards) where an injury occurred which required medical attention.

CHART VI



An escape is defined as a ward leaving an institution of the Youth Authority, the Department of Corrections, or the Department of Mental Hygiene without permission. This includes leaving the control of institution staff while off grounds, on work assignments, or on a trip, regardless of the duration of the absence. This does not include a ward who fails to return on time from a day pass or furlough.

Treatment. While California is widely recognized as being in the avant garde in developing treatment programs, deviations from the basic principles outlined in the previous chapter nevertheless occur throughout the State's facilities on a daily basis. For example, there are many instances where wards are not provided with a continuum of treatment before, during, and after confinement. In addition, the necessary range of treatment services does not exist for all of the youths confined in local and State institutions. In short, substantial progress has been accomplished, but much more remains to be done.

Related to the above, the staff survey found that only 36% of all Youth Authority workers and 41% of county boys' camp staff indicated that "specialized treatment" played a primary role in their respective institutions. However, 85% of the staff employed in local girls' schools felt it played a significant role. Many stated that they lacked the necessary resources, while others commented on the need for additional training, particularly in basic casework techniques.

Education. Academic training continues to be the primary emphasis in most of California's juvenile institutions. Sixty-nine percent of Youth Authority boys' school staff, 83% of their girls' school employees, and 68% of all county personnel reported that educational programs clearly played a primary role in their facilities. The major problem reported by county staff members was the existence of occasional conflicts between school staff and institutional administrators. At present, County Boards of Supervisors have the authority to arrange for either the County Superintendent of Schools or a local school district to provide the educational program in any juvenile facility.[12] All of the study counties chose the first option, which establishes a dual administration within the facility. A number of camp administrators complained that because of this organizational arrangement, they were left without adequate control over the most important component of their overall program. Other administrators asserted that not only did they have an excellent relationship with the school personnel, but also would probably be unable to obtain such efficient and economical services through any other arrangement. In this respect, California law is not consistent with the national standard which recommends that "The entire educational program within a training school should be administered within the institutions' administrative structure".[13] Additionally, a number of institutions throughout the State do not adhere to the standard that a year-round school program be available to all "who can benefit from an education".[14]

Work and vocational training. While facilities for younger wards are almost always academically-oriented, a number of institutions for older youths concentrate on work experience, and to a significantly lesser degree, vocational training. Unfortunately, few programs provide training or work experience that truly help reintegrate youths back into their communities. The hundreds of wards placed in forestry and dairy type programs find little demand for lumber-jacks and shepherds when they return to their urban ghettoes.

The most serious problem is the paucity of vocational training programs for the rapidly growing 18-21 year old group in the Youth Authority. As of December 31, 1970, the median age for institutionalized Youth Authority wards was 18.6 years (18.8 for boys)--a figure that has been edging upward over the last few years.[15] Hence, it is obvious that CYA facilities need to significantly upgrade and expand their vocational training efforts. Such programs should be balanced with an increased number of college level programs for those who can profit from them (such as those pioneered at Fricot and the Youth Training School).

Summary. Treatment, educational, and vocational training programs in particular need to be reevaluated and strengthened at both State and county levels.

The Youth Authority presently consists of a vast, bureaucratic network of reception centers, institutions, and camps that were built as a result of the pressures of the post-war years. Most of the existing programs have been shaped because of population pressures, lack of resources, and concern over smooth-running facilities, rather than by analysis of or planning for the needs of the youth that have been served. Inadequate coordination between and within institutions (as reported by 44% of staff), has resulted in considerable duplication of programs with limited capacity to provide the range of services required for effective differential treatment. Geographic location, excessive living unit size, and staffing ratios have continued to pose serious handicaps. Furthermore, although the Youth Authority has evolved from a system for children and youth to an agency for youth and young adults, thereby falling more closely in line with its original purpose, it has nevertheless fallen further behind in its ability to provide effective programs for the young adult. Finally, only 40% of staff felt that their overall institutional services had improved in the last year.

It should be noted, however, that the Youth Authority has recognized many of its problems and is striving actively to eliminate deficiencies and to maintain its standing as one of the nation's foremost juvenile correctional agencies. Within the past three years it has taken a number of steps to become a more effective and responsive system. It has commissioned a series of task forces to study various aspects of its operation. It has also established the treatment team concept in its institutions, as well as the adoption of I-level as its official system of classification. Other signs of change have been efforts to move decision-making down to the lowest level of the organizational hierarchies; regionalization of its institutions; beginning integration between field and institutional services; formulation of a long range plan to revitalize the education program; the development of a pilot coeducational program at Ventura; and long range research efforts in the Northern Youth Center.

As described in Chapter II, many of the county facilities were established on the forestry camp model. This format has resulted in the development of programs that have little to do with helping the ward readjust to his society. As camps for younger wards have developed, they have become more academically oriented. These two types of programs comprise the bulk of juvenile institutions that have been available for delinquents in most counties. As a result, there is a noticeable similiarity of program within and between neighboring counties. Only recently, have some counties employed a wider variety of strategies, such as day care centers and short-term treatment units, thereby allowing greater individualized programming. County programs for the older adolescent and young adults are almost non-existent. This is true even though there is enabling legislation. As yet, no county has established a "Youth Correctional Center"[16] or, as far as the Juvenile Insitution Task Force was able to determine, any equivalent types of programs. In spite of the above shortcomings, county staff felt, to a much greater extent than State personnel, that their programs were coordinated and that they received feedback on whether or not their efforts with "graduates" had proved successful.

Perhaps the most common limitation of any institutional program is the tendency to have the program fit the needs of the institution, instead of accommodating the needs of the individual client. A corresponding limitation consists of viewing the institution as an end in itself rather than as a temporary back-up service for field supervision programs.

Release and Aftercare

Just as intake and classification are important links between preinstitutional handling and the institution, so should placement and aftercare services provide an effective bridge back into the community. The three processes should not be viewed as separate events, but as part of the same continuum of treatment. The well-established fact that the greatest recidivism occurs within a short time after release[17] also underscores the importance of concentrating services during those crucial weeks or months immediately following release. The two major issues here are when to release the ward and how to best provide him with a continuum of treatment between institution and community.

Length of stay and readiness for release. The first critical problem is to predict accurately readiness for release or, minimally, the point at which further confinement serves no beneficial purpose.

As mentioned in Chapter II, the average stay in county juvenile institutions has dropped significantly in the past few years to a current average of 5.4 months.[18] The Youth Authority, on the other hand, has increased its average length of stays markedly, particularly in the last 3 or 4 years. Table VII shows the mean length of stay for Youth Authority wards over the past decade and the percent increase from the first half of the decade to 1970. With the exception of the 1968 figure for girls in CYA facilities, the average lengths of stay in 1970 were the longest in at least a decade. Thus, while fewer youths are being committed to institutions, the average length of stay for those who are confined has increased. The survey data suggest that the increased periods of confinement are generally endorsed by the institutional staff in the Youth Authority and conversely the employees of local juvenile institutions endorsed the declining lengths of

TABLE VII

MEAN LENGTH OF STAY OF WARDS IN CYA AND CDC INSTITUTIONS PRIOR TO RELEASE ON PAROLE, 1961-1970
(In Months)

INSTITUTION OF RELEASE	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	Percent Increase From 1961-5 To 1970[1]
Boys - CYA Institutions	8.6	8.9	8.7	9.0	8.8	8.6	9.4	10.0	9.9	10.5	19%
Girls - CYA Institutions	8.5	8.5	8.2	7.4	7.8	8.4	8.4	9.0	8.6	8.7	7%
Boys - CDC Institutions	11.2	12.5	13.3	13.4	13.7	14.2	12.1	12.6	15.1	15.1	18%
Girls - CDC Institutions	11.0	11.6	12.3	12.9	14.7	13.6	14.5	15.4	16.4	26.9[2]	115%

Source: Department of Youth Authority, Annual Statistical Report: 1969, p. 25; also "Monthly Statistical Report", December, 1970, mimeographed.

[1] These percentages represent the increase from the average of the means of 1961-1965 to the mean of 1970.

[2] This figure is so high due to 2 girls who were paroled in 1970 after serving 4 and 5 years respectively. If those 2 girls were not counted, the mean stay would be 15.4 months.

stay for wards in their facilities. Table VIII shows that 41% of the CYA staff believed the length of stay to be about right. An additional 34% felt that youths were released prematurely, thus opting for even longer periods of confinement. On the other hand, 74% of the staff in county facilities believed that their wards were released at about the right time. Virtually no staff felt that wards were being held too long.

However, despite the clear differences of opinion between staff members of local and State institutions, there is considerable evidence that suggests that many, if not most, of even "hard core" youthful offenders can be released after much shorter periods of confinement without decreasing or jeopordizing the community. In the early 1960's, the Fremont Experiment at the Youth Authority Southern Reception Center assigned youths randomly in regular institutional programs (averaging 9 months) or in the Fremont unit (for a fixed period of 5 months) with a rich treatment program. A two year parole follow-up of graduates showed that the experimental group (Fremont unit) had no higher recidivism rate and no more serious types of offenses than the control group.[19]

Following up on the Fremont Experiment, the same reception center developed the Marshall Program in the mid 1960's. This program attempted to create a therapeutic community model, employing a treatment team approach, but limited the program to only 3 months. Part I of the analysis of the Marshall Program found that "For the total sample of consecutive admissions, the Marshall graduates exhibited a slightly lower parole violation rate than the comparison group".[20] The comparison group consisted of wards who went through regular, longer institutional programs. Even "when selection bias was (partly) controlled by the case-matching procedure, the violation rates were found to be virtually equivalent".[21] Part II of the analysis carefully followed the effects of the program on different types of youths. During the follow-up period, the Marshall graduates had a higher violation rate than the control group (72% compared to 56%).[22] However, "when the group violation rates were recomputed excluding lone offenders, the violation rates converged impressively--Marshall Program: 67%; matched comparison group: 62%; no significant difference".[23] In fact, some types of youths from Marshall fared better than did their "matches". The major implications of the Marshall study are two-fold. First, many, if not most youths, do just as well on parole after a relatively brief period of confinement than if they are incarcerated for longer periods. Second, the data clearly suggest that certain types of youths fare better in this kind of program while other types of wards do worse.

Similarly, the recent Ventura Intensive Treatment Program (VITP) compared girls placed in a 3 month special program with a control group who averaged 7.6 months of institutionalization. The project researcher concluded: "In terms of testing the feasibility of assigning selected wards to a three month institutional program without seriously increasing the recidivism rate, the VITP program appears to have adequately achieved this goal".[24] Furthermore, he pointed out that "in occupancy expenses alone financial savings of $570,248 were effected during the first 18 months of the program, or roughly $380,165 per year".[25]

TABLE VIII

READINESS FOR RELEASE - STAFF VIEWS
(Percentage Distribution)

STAFF FEELING ABOUT RELEASE OF WARDS	ALL CYA STAFF	ALL COUNTY STAFF	CYA STAFF				COUNTY STAFF		
			RECEPTION CENTERS	BOYS SCHOOLS	GIRLS SCHOOLS	CAMPS	BOYS SCHOOLS	GIRLS SCHOOLS	SHORT-TERM TREATMENT UNITS
Usually premature	34	21	35	38	20	22	26	16	7
Usually well co-ordinated with youth's readiness	41	74	41	36	62	51	65	82	93
Usually no relationship to youth's readiness	22	5	24	23	13	27	8	2	0
Usually overdue	3	0	0	3	6	0	1	0	0

The best known and perhaps most successful of all programs which demonstrated the feasibility of reducing or eliminating incarceration is the Youth Authority's Community Treatment Project which has existed since 1961. This program has placed wards directly on parole after the reception center process. The treatment strategy has been to classify the youths according to I-level theory and to "match" them with parole agents who have been evaluated as being particularly capable of working with that type of ward. The success of this program has been so noticeable that the program director has stated:

> "By 1964, the feasibility of treating a large proportion of the juvenile offender population in intensive community programs rather than in institutions was a settled issue. In addition, it was clear that the community program offered higher success than the traditional Youth Authority program."[26]

Subsequent research has documented that the Community Treatment Project, like the Marshall Program, has been more successful with certain types of youths than with others. However, researchers have been careful to stress that:

> "CTP's effectiveness is not simply a result of its having operated within a community setting: all available evidence suggests that the avoidance of institutionalization, in itself, contributes little if anything to the experimental-control differences in parole success. In other words, it is the differential or intensive/extensive treatment aspects...which appear to be of fundamental importance."[27]

All of the above evidence supports the premise that the period of institutionalization can be minimal for many types of youths, assuming that intensive treatment is available in the alternative program. The fact that Youth Authority average stays continue to rise and that staff, particularly CYA personnel, feel that youths are released too soon raises the question of whether staff is overly conservative and, perhaps, fighting for their existence by retaining the fewer youths they do receive for longer periods of time. In this regard, one highly placed State official opined that the increasing length of stay in Youth Authority institutions was in no small way due to "the self-preservation squirming of a bureaucratic system attempting to protect itself, its jobs, programs, etc".

Links between institution and aftercare. The second issue related to release concerns construction of the bridge -- specifically, how aftercare supervision should be linked with institutional treatment. As might be expected (due simply to proximity to the community), the counties throughout the State seem to be integrating these services far more effectively than the Youth Authority. Eighty-two percent of the county staff reported that personal contact was made between field and institutional workers, and one-third of them indicated additional contacts were made with other significant persons in the youth's home environment. On the other hand, 69% of the

Youth Authority staff reported that this transition was only a "paper process" and that it did not exist in fact. Again, county programs are somewhat more flexible either in terms of allowing institutional personnel to supervise some of their graduates as part of their normal duties, or by requiring field personnel to become involved with their future wards while they are still in the institution. Staff preference appears to be in favor of community-based units with small caseloads (about 15 per worker), allowing time to work with the youth and his family before release, and to provide intensive supervision during the critical transition period. Furloughs are also being used increasingly to facilitate a ward's gradual reintegration.

As stated above, the Youth Authority is aware of problems it faces in linking institutions with parole and has attempted to minimize the obstacles by placing both types of services in the same division. However, geography and the traditional gaps between these components continue to hinder their forming closer linkages.

As an overall evaluation, staff were asked: "Are there programs at your institution that really seem to be making sense in helping the youth in his move back into the community?" Ninety percent of county staff and 77% of the Youth Authority employees replied affirmatively.

III. RESOURCES

Now that the principal goals and functions or tasks of juvenile institutions have been examined, it is essential to look at the resources that are available to them in carrying out their responsibilities. As used here, the notion of resources is a very broad one. It encompasses all those factors that facilitate or hinder the correctional process.

While the following variables are discussed one at a time and while some are more important than others, it should be remembered that they do not operate independently. They are all interrelated and tend to have a cumulative effect. It is the accumulation or "cluster" of positive or negative factors that effects how an institution carries out its functions and determines the extent to which it accomplishes it goals. For example, there is a high degree of agreement among researchers that the most significant factor affecting an institution's ability to change its wards is the development of a proper social climate, commonly referred to as a "therapeutic milieu".[28] This therapeutic climate or milieu, however, is dependent on a host of variables such as location, design, institutional size, living unit size, staffing ratios, quality of staff, as well as other characteristics to be discussed below.

Geographic Location

An institution should be geographically located so that it can be an integral part of the community it serves. This factor is so important that it effects the very nature of programming and reintegration efforts by an institution. It also relates to the ability of the institution to recruit and train competent personnel, to mobilize community resources, to build and strengthen family ties, to develop and maintain relevant educational and vocational programs, and to serve as a change agent within the community. An institution that is not located in or immediately adjacent to the community it serves operates under a handicap that is extremely difficult to overcome.

Geographic location is considered to be a definite problem at the county level and a critical and almost insurmountable obstacle at the State level.

As noted earlier, most counties have employed the "forestry-camp" concept in establishing their camps and ranches. As a result they are located in isolated portions of the respective counties. While there are exceptions to this pattern, most camps require extended private transportation to and from the community which exacerbates the problem of establishing linkages between themselves and the communities they serve. Most of the recently established county facilities, particularly the short-term treatment centers, are located within acceptable geographic limits. However, in reviewing the location of other types of institutions in the sample counties, it appears that more than half of them are located in areas that tend to hinder, rather than enhance, their correctional effectiveness.

The State picture is considerably more dismal. Only three institutions are situated in such a way that they can effectively relate to local communities. The three institutions are the Northern Reception Center at Perkins, the Southern Reception Center at Norwalk, and the Nelles School for Boys in Whittier. A fourth facility, the Youth Training School in Chino, might be geographically well-situated in approximately ten years if the population growth continues. The same is true for the Ventura School for Girls in Camarillo. At the present time, however, only 20% of the Youth Authority's institutional resources are situated in locations that readily lend themselves to the task of reintegration.

The Youth Authority has an additional handicap to overcome. Not only are most of its institutions located in rural areas, but they are also not located in the most expedient sections of the State. Sixty percent of all of the Youth Authority's bed space is in Northern California. And yet it receives 64% of its commitments from Southern California.

Considerable time and effort has been spent attempting to work around these handicaps. Most recently the CYA has attempted to regionalize its institution and field resources. This has met with only limited success. As reflected in Table IX, youth from Southern California are still being sent all over the State. Thirty-seven percent of the youth confined at Preston and 21% of those at O. H. Close and Karl Holton are at least 350 miles away from their home. Sixty-three percent of the youths confined in the four Northern conservation camps come from Southern California. Paso Robles, located half way between the two major population centers of Los Angeles and San Francisco, receives 77% of its youth from Southern California, 12% from the San Francisco region, and the balance from the rest of the State. The Northern Youth Center,

TABLE IX

PERCENTAGE OF WARDS IN YOUTH AUTHORITY INSTITUTIONS BY AREA OF COMMITMENT

AREA OF COMMITMENT	Total	BOYS INSTITUTIONS (Including Location)							GIRLS SCHOOLS (Including Location)	
		Nelles (Whittier)	Y.T.S. (Chino)	Paso Robles	Preston (Ione)	O.H. Close (Stocktn)	Karl Holton (Stocktn)	Camps (All 4 North)	Ventura (Camarillo)	Los Guilucos (S.Rosa)
Southern California	64	99	91	77	37	21	19	63	96	1
San Francisco Bay Area	21	1	5	12	40	50	48	20	3	65
Balance of State	15	0	5	11	23	29	33	17	2	35

Source: Department of Youth Authority, *Characteristics of CYA Wards: December 31, 1970*, State of California (Sacramento, 1970), pp. 9-15 located in Stockton, currently consists of the Karl Holton School, O. H. Close School, and the newly constructed, but as yet unoccupied, DeWitt Nelson School. This complex has a population potential of 1,200 youths. Yet it is located in a geographic area that at best could support only one of the three institutions.

Results of the client questionnaire substantiate the geographic problems currently being faced by the California Youth Authority. Only 10% of CYA wards and 42% of county wards were in institutions located within 25 miles of their homes. Seventy-five percent of Youth Authority wards were confined in facilities more than 50 miles from where they lived. Furthermore, when asked to report the number of visits they had received while in the institution, 90% of county wards had been visited by their families at least once, but almost one-third of the sampled Youth Authority wards had never received a visit.

Institutional Design

The majority of California's juvenile institutions, at both the county and State level, were designed and built prior to the development of any specific correctional program. In the majority of instances correctional administrators and staff have had to tailor their programs to fit existing physical structures. During the survey, institutional administrators repeatedly complained about the poor design of their buildings, noting that there were few architects who exhibited an awareness of correctional problems and programs. They expressed the need for more assistance from the State in developing appropriate physical designs. Some asserted that the Youth Authority, which traditionally has had the responsibility of approving plans, has concerned itself principally with determining whether or not a structure would meet minimum physical standards, such as square footage, number of wash basins, etc. Of Youth Authority institutions, only the three most recent were designed and constructed on the basis of a detailed program plan. However, the Youth Authority is now insisting on a detailed program statement before it will authorize the construction of any new State institutions. But this new practice is not likely to have any appreciable effect, since the Department is more likely to close State institutions than to authorize the construction of new ones. The Youth Authority is also beginning to play a more active role in advising county authorities with program and building design. Because most new construction is anticipated to take place at the local level, the emerging advisory role of the State is likely to prove extremely valuable. This trend is entirely consistent with the principle outlined in the previous chapter of establishing a close partnership between State and counties.

Institutional Size

Just as with location and design, the physical size or capacity of an institution is not a neutral factor. Size can either impede or facilitate the functioning of the institution. The President's Commission on Law Enforcement and Administration of Justice, which established a maximum standard of 150 youths per institution, stressed that this standard "is based on experience which shows that the smaller the facility the more likely it is to enhance the impact of program".[29] It further quotes the American Psychiatric Association as asserting that "The treatment atmosphere tends to breakdown in institutions where the population rises above (150)" because of "such therapeutic dangers as rigidity and formality necessary to help a large organization function".[30]

The State legislature took a strong position on the issue of size for county camps, ranches, and schools in Article 13 of the Juvenile Court Act by limiting all such facilities to a maximum of 100. Even this, however, is double the 40 to 50 capacity standards recommended for local facilities by the President's Commission.[31]

California counties have, of necessity, adhered to the State standard of 100. The average capacity of county facilities was 67 in 1970.

The State of California on the other hand, has not only failed to adhere to the standards imposed upon the counties, but has also flagrantly violated even the national standards. Chart VII dramatically illustrates the gigantic size of the Youth Authority institutions and compares them with the national standard and average county size. Only the four conservation camps (with 80 bed capacities) fall within any reasonable standard. The remaining superstructures, resembling giant concrete fortresses, range in size from 270 for Los Guilucos to 1,200 for the massive Youth Training School. The average for all Youth Authority institutions is 380, more than two and a half times the national standard and nearly four times the standard imposed upon California counties.

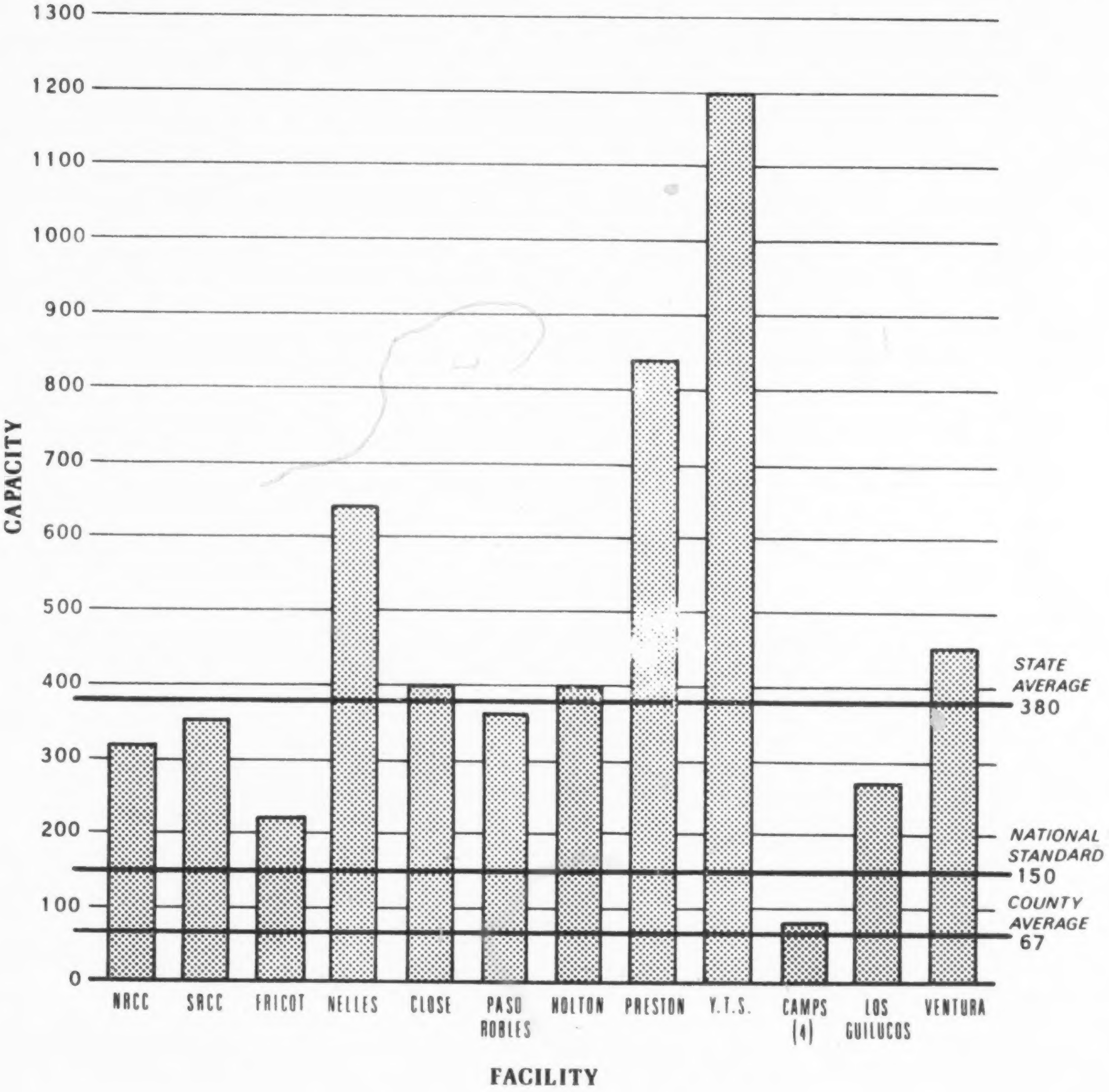
Living Unit Size

The professional correctional literature stressing the importance of small living units or cottages as an essential pre-requisite for developing a therapeutic environment is voluminous.[32] The most recent and perhaps most extensive collection of literature supporting the idea of small units is by Knight.[33] After reviewing numerous studies on the importance of size in correctional and medical-psychiatric institutions, Knight concludes:

> "In general, the evidence indicates that in such institutions small living-unit size is crucial to the implementation of effective and humanitarian treatment. Size alone...creates organizational pressures toward custodial rather than treatment operations. The net effect of these pressures tends to alienate inmates from treatment involvement."[34]

CHART VII

INSTITUTION SIZE
YOUTH AUTHORITY FACILITIES



He adds, further, that:

> "There are, indeed, compelling indications that large living units give rise to pressures that reinforce the worst in young people. To the extent that is true, our clients are the victims of the system itself."[35]

Several of the classic studies of training schools, reflecting the fact that much delinquency is a group phenomenon, stress the importance of constructively using small group interaction within institutions as the primary tool for modifying attitudes and behavior.[36] As cottage size increases, not only does it become more difficult to individualize treatment, but problems of coping with youth behavior greatly increase.

Recidivism rates are at best crude measures of the success or failure of an institution's program because there are many other intervening variables that operate in the community to determine the type of adjustment made by the youth. However, there is some evidence to suggest that smaller living units (combined with better staffing ratios) result in more law-abiding post-release behavior than the larger units. In a recent report of a long-range evaluation of the Youth Authority Fricot Study, which compared a small 20-boy unit with a traditional 50-youth cottage, Jesness showed that there was substantially lower parole violations among members of the experimental group as compared with the boys who had been placed in the larger units.[37]

While living unit size of all county facilities was not obtained, it appears that most, if not all, local institutions operate with living units of 30 or less youths. New facilities often have substantially smaller units.

On the other hand, during post-war years of rapid growth the Youth Authority constructed almost all of its units to a standard 50 bed capacity. This is two and one-half times the recommended national standard for homogeneous youth groups.[38] Compared both to county facilities and to new training schools throughout the nation, the Youth Authority has not progressed in this respect. In fact, some of its earliest institutions had substantially smaller units than is now the case. By way of contrast, over 90% of all new or planned training school living units in the United States in 1967 had capacities of 30 or less. Fifty-four percent of these units had capacities of 20 beds or less.[39] Increasingly, however, the Youth Authority administration has become concerned about cottage size and has built some of its newest living units in a way that they can be divided in half, should additional funds become available.

Staffing Ratios

The strength of any correctional program is its staff. Whatever other resources are available, insufficient numbers of qualified staff dooms the program to failure before it starts. One of the most fundamental casework principles is that change occurs through close interpersonal relationships, especially through contact with "significant others". If staff do not have the time and opportunity to "get close" to youth, they are not likely to effect any positive change. Two key personnel issues center around the number and type of staff needed. This section will focus on the former, i.e. staffing ratios, while the following sections will discuss staff characteristics and qualifications, supportive types of staff, and training needs.

Chapter III listed various standards that should apply to staff members in all juvenile facilities. The most crucial staffing ratios are those that relate to line staff directly supervising youth around the clock, and to specialized treatment staff.

Although the staff ratio varies from institution to institution, the 15 study counties had an overall staffing ratio of approximately one employee for every 2.5 youths. This is well beyond the minimum standard recommended by the Juvenile Institution Task Force (substantially more than 1 employee for every 2 youths). Many administrators of local institutions expressed concern over the lack of treatment personnel. They indicated that it was difficult to convince their Boards of Supervisors of the need for additional professionally trained staff, since the Youth Authority standards do not specify a ratio for this type of personnel.

The Youth Authority has a somewhat better overall ratio of 1 staff person for every 2.1 wards. However, this is nearly double the staffing ratio of New York and Pennsylvania[40] and reflects very little improvement over the past 20 years.[41] Institutions are relatively well staffed with teachers (one for every 15 wards), minimally well-staffed with clinicians and caseworkers, but very thinly staffed with youth counselors or group supervisors. In other words, the staffing pattern is weakest at the point where staff have the most contact with the youths. Until very recently, each line worker had to supervise 50 wards--a ratio that has seriously aggravated the Youth Authority's problems of coping with large living units. The Youth Authority is now authorized to use "5-post" coverage, a ratio that allows doubling of line staff during the most important day and early evening hours. This plan is being implemented in most of the State's institutions. However, this still leaves a staff ratio of only 1 to 25 during key hours --at least two and one-half times the standard recommended for county institutions.[42]

In view of the greater proportion of difficult and disturbed youth being committed to the State institutions, additional problems can be anticipated unless considerable improvement is made in reducing living unit size and bolstering line and treatment staff ratios.

Staff Characteristics and Qualifications

Staff qualifications are an endless topic of discussion. The reader who wishes to review some of the more significant statements and positions on this issue, relevant to juvenile institutions, is referred to the following documents: Task Force Report: Corrections, by the President's Commission on Law Enforcement and Administration of Justice;[43] Manpower and Training in Correctional Institutions, by the Joint Commission on Correctional Manpower and Training;[44] *Standards for Juvenile Homes, Ranches, and Camps*, by the California Youth Authority;[45] and *The Practioner in Corrections*, by the California Probation, Parole, and Correctional Association.[46]

The literature and expressed opinions of professionals in the field highlight two polarized views. First, correctional workers should be "super-qualified", i.e. they should be "all things to all men", and second, specific qualifications make no difference. The Juvenile Institution Task Force takes a middle, somewhat less extreme position on this issue. The Task Force suggests that the most crucial qualification for an institutional line worker (as well as for supervisory personnel and other specialists) is the ability to relate to and effect behavioral changes in those youth placed in correctional institutions. College training and graduation in the behavioral sciences, while desired, is not necessary. Professional treatment staff (including probation officers and caseworkers) should possess the above-mentioned ability plus a college degree in the behavioral sciences. Administrators, in addition to both of the above qualifications,should have training in managerial techniques. An extremely important factor is that "New Careerists" and other para-professionals, including ex-offenders, should not be eliminated from the possibility of entering and advancing in the institutional system.

The Task Force survey of the 15 study counties enumerated local staff members according to formal position held, race, age, education, and college major. Table X presents the findings. The data clearly suggest that Negro and Mexican-American staff, employees who are under 30 years of age, and college graduates are seriously underrepresented in California juvenile institutions. For example, according to the Bureau of Criminal Statistics, almost half (48%) of the Youth Authority wards throughout the State are Negro or Mexican-American.[47] However, Table X reveals that only 14% of the staff in the study sample are drawn from these same groups. It should be noted that the Youth Authority administration reports that the statewide proportion of minority group employees is 22%. Considering only these variables, county institutions appear to have the ability to attract a somewhat better qualified staff. As Table X shows, staff in these facilities are younger, better educated, and have more relevant educational backgrounds. No doubt the ability of county institutions to attract these types of persons is in large measure related to their more favorable geographic locations. County facilities are more likely, than State juvenile institutions, to be located closer to urban areas, colleges and universities. At the same time, however, the Youth Authority has a significantly higher percentage of supervisors, administrators and functional specialists[48] holding at least a Master's degree (33% compared to 19% for county institutions).

Para-professionals

It is now a well-established fact that indigenous workers, including ex-offenders, who do not have traditional educational or other formal qualifications can be a valuable correctional resource.[49] The advantages of "New Careerists" and other similar programs are not only mentioned in the literature,[50] but were also pointed out by many practitioners in the

TABLE X

STAFF CHARACTERISTICS
(Percentage Distribution)

VARIABLE	All Staff (N-1167) CYA	All Staff (N-1167) COUNTY	Administrators (N-111) CYA	Administrators (N-111) COUNTY	Supervisors (N-179) CYA	Supervisors (N-179) COUNTY	Line Workers (N-400) CYA	Line Workers (N-400) COUNTY
RACE								
White	82	77	91	87	84	77	76	73
Black	8	12	6	6	6	11	9	15
Brown	6	7	0	3	7	6	10	8
AGE								
Under 30	16	37	1	9	5	21	29	53
Over 50	21	12	30	25	18	10	12	5
EDUCATION								
High School	24	10	9	10	20	4	35	8
2 yrs. College	32	18	25	7	47	23	45	33
BA Degree	13	40	12	30	13	47	13	50
1 yr. Grad. Work	11	17	8	30	5	15	4	9
MA Degree	18	12	45	23	14	8	1	1
MAJOR								
Behavioral Sci.	44	57	51	50	71	59	52	59
Public Admin./Bus.	7	5	13	3	8	2	9	2
Education	19	14	15	20	9	19	9	12
Other	29	24	20	27	23	20	31	27

survey sample. Like volunteers, para-professionals enrich correctional services, not as replacements but as supplements and extended hands for regular line workers. They also possess certain unique advantages. As the President's Commission states:

> "Contact with a person who has overcome handicaps and is living successfully in the community could mean a great deal more to an offender than conventional advice and guidance."[51]

However, verbal support tends to be substantially stronger than actual hiring and use of para-professionals. Approximately two-thirds of all levels of both State and county staff indicated that they could both use and would want to make use of "New Careerists". Over 90% felt such persons should "be allowed and encouraged to work their way to regular line and supervisory positions". However, only about one-half of all staff reported that their respective agencies actually employed para-professionals. But in no institution, with the exception of one (a small county boys' camp), did the staff completely agree that their agency either had or had not employed a "New Careerist". Thus, as with classification systems, it is apparent that institutional workers lack considerable information with respect to the whole area of para-professional staff in juvenile corrections. In fact, Youth Authority institutions do not have a "New Careerist" program at the present time, but they have employed a number of inmates and parolees as aides.

As with any innovation in the field of corrections, there have been a number of problems with para-professional programs. However, the experience accumulated thus far suggests that these programs can be successful if they utilize careful screening procedures, receive the full support of regular staff, assign meaningful tasks to the para-professionals, and provide them with relevant training, incentives and opportunities to work their way up the "correctional ladder".[52]

Volunteers

Volunteers are now a widely accepted and used resource for all areas of corrections. The literature advocating the use of volunteers is growing rapidly.[53] While correctional agencies have traditionally been wary about letting "outsiders" into their program, the involvement of volunteers in a wide range of institutional and non-institutional activities has become commonplace throughout the State. Discussion of their advantages and possible disadvantages is contained in the System Task Force Report and in the abovementioned literature.

The Task Force survey found that every institution in the sample, with the possible exception of one Youth Authority conservation camp, had a volunteer program. More than one-third of the staff reported that their facilities had made "regular/consistent" use of volunteer workers. Slightly more than half felt volunteer programs should be expanded within their institutions, while only 5% felt that they should be eliminated.

Training

A comprehensive study of training and manpower needs for California corrections was conducted in two phases during 1968 and 1969-70.[54] The resulting reports asserted that budgetary resources for training, particularly for institutional staff, are grossly inadequate; training is too often viewed as a luxury rather than necessity; sophisticated planning for and evaluation of training activities is a rarity; primary training targets (trainers and first line supervisors) are frequently missed; and there is little coordination of training efforts, knowledge, and resources within and between California's correctional agencies.

Tables XI through XIII rank training needs as perceived by administrators supervisors, and line workers. Thus, in Table XI, administrators felt that they most needed training in the "management", "planning techniques", and "program budgeting" areas; supervisors (Table XII) most wanted training in "planning techniques", "human relations", and "management" areas; and line workers (Table XIII) selected "individual/group counseling", "human relations", and "racial/cultural differences" as their primary training need areas. The gaps between training believed to be required and training received are also indicated in these tables. For the administrators in both the State and county institutions, the greatest gap is felt to be in the area of "research and evaluation". For the supervisors, the biggest gap appears to be in the area of "planning", while for the line personnel the largest gap is perceived to be in the area of "racial and cultural differences".

Probation subsidy funds have clearly resulted in an oasis of training for many counties, although the beneficiaries of this training generally have been the field supervision staff. The Youth Authority allocates $15,000 annually for the training of county personnel. However, considerably more than this will be required if training programs are to reach staff members employed in local institutions. At the State level, less than 1% of the total Youth Authority institutions budget is allocated for staff training in those facilities.

Working Conditions and Morale

As a group, juvenile institutions workers at both the State and county levels reported satisfactory working conditions. The major dissatisfaction expressed related to insufficient clerical and stenographic help. Administrators as a group rated working conditions best, suggesting either that they themselves have better conditions or that they are not fully in touch with the problems of their staff. Thirty-seven percent of county staff and 51% of Youth Authority staff reported dissatisfaction with the promotional opportunities in their agencies. There was very strong support (between 80% and 90%), particularly at the line worker level, for the idea of allowing employees to transfer between correctional agencies throughout the State. There was a similar degree of support expressed for the idea of creating rank and pay increases for line workers that paralleled those of the first line supervisory level.

TABLE XI

TRAINING NEEDED AND RECEIVED:
ADMINISTRATORS
(Percentage Distribution)

TRAINING CATEGORY	CYA		COUNTY	
	NEEDED	RECEIVED	NEEDED	RECEIVED
Management Training	93	68	70	68
Planning Techniques	85	37	74	54
Program Budgeting	79	58	77	41
Research & Evaluation Techniques	80	20	69	24
Human Relations	75	74	70	59
Confrontation/Arbitration Techniques	72	28	66	34
Racial/Cultural Differences	68	56	63	29
Individual/Group Counseling	56	33	69	46
Law-Pre-Legal	57	17	46	14

TABLE XII

TRAINING NEEDED AND RECEIVED:
SUPERVISORS
(Percentage Distribution)

TRAINING CATEGORY	CYA		COUNTY	
	NEEDED	RECEIVED	NEEDED	RECEIVED
Planning Techniques	88	35	79	34
Human Relations	84	65	82	62
Management Training	90	50	66	43
Racial/Cultural Differences	87	55	74	23
Individual/Group Counseling	81	48	82	68
Confrontation/Arbitration Techniques	78	33	71	38
Research & Evaluation Techniques	72	23	58	21
Law-Pre-Legal	58	14	59	23
Program Budgeting	53	22	47	19

TABLE XIII

TRAINING NEEDED AND RECEIVED: LINE WORKERS (Percentage Distribution)

TRAINING CATEGORY	CYA		COUNTY	
	NEEDED	RECEIVED	NEEDED	RECEIVED
Individual/Group Counseling	91	61	92	69
Human Relations	85	44	87	51
Racial/Cultural Differences	86	36	85	22
Confrontation/Arbitration Techniques	82	30	74	32
Research & Evaluation Techniques	63	22	60	27
Planning Techniques	64	22	49	16
Law-Pre-Legal	60	10	49	10
Management Training	58	16	27	4
Program Budgeting	28	4	13	2

In spite of generally satisfactory working conditions reported by the great majority of staff, many employees felt that the morale in their agencies was not particularly high. Twenty-two percent of Youth Authority staff and 56% of county personnel reported agency morale as being high, while 34% and 11% respectively, indicated morale in their department was low. When asked: "Would you recommend corrections as a career to a young person?" 63% of Youth Authority and 76% of county workers answered in the affirmative.

Public Relations

Lack of knowledge generally means lack of support. Without community support, corrections cannot hope to operate effectively. Yet, corrections has traditionally done a poor job of "telling its story", particularly with regard to what happens in its institutions. Much of the news reaching the public about institutions has to do with escapes, knifings, riots, and so on. This is unfortunate since field work during the present study discovered considerably more constructive interest in the community about corrections, including institutions, than is apparent to correctional personnel.

The Juvenile Institution Task Force found that sophisticated public relations programs are a rarity at either the State or local levels. But it is evident that some efforts are being made to inform the public. One out of four staff members, mostly supervisors and administrators, reported that they had spoken before a community group about their institution in the past year. About 8% had made four or more presentations during the same period.

Fiscal Support

One of the most obvious factors about institutions is that they are expensive. However, the State of California, in partnership with counties, has developed a network of institutions for delinquent children for the purpose of protecting society and rehabilitating those children. Hence, the State and the counties, i.e. the people of California, as long as they place youth in these institutions, have a commitment to provide them with the capability of achieving their objectives. The core of this commitment is adequate financial support.

In 1945, and particularly, 1957 legislation, the State strongly encouraged the counties to build and operate their own juvenile institutions by pledging to share the cost of these facilities. The intent of the 1957 law[55] appears clearly to have been to provide roughly matching funds for the construction and maintenance of these facilities. However, as almost all local administrators complained, the limits on the State's matching funds that were set in 1957 have never been revised to reflect increases in construction and maintenance costs. County institutions now cost approximately $12,000 per bed to build, and from $199 to $1,310 per month per ward, with an average monthly cost of $550.[56] Yet, the State continues to subsidize at the rate of only $3,000 per bed for construction and only $95 per month per ward for maintenance. In other words, the State is actually subsidizing only 25% of the construction cost and 17% of the maintenance cost. All county personnel interviewed reported that their counties were encountering serious financial difficulty. All stated emphatically that they would not be able to improve existing programs or develop new ones unless there was a substantial increase in State or Federal subsidies to local institutions. In brief, there is a widespread feeling among county officials that, while the State never promised them a "rose garden", they were led to believe that the State would honor its commitment to match or at least substantially assist with the funding of local juvenile facilities. The resulting anger and distrust toward the State is considerable.

The cost of maintaining the State's juvenile institutions is approximately $36,400,000 per year. Whereas these institutions provide services for approximately 28% of the Youth Authority wards at any given time, they consume 71% of the Youth Authority Support Budget ($51,600,000 for 1970-71). For fiscal year 1970-71, the institutional per capita cost per year ranged from a low of $4,648 for the youth conservation camps to $9,030 for Los Guilucos School for Girls, with an overall average of $6,754.[57] The average monthly cost was thus $563, compared to roughly $550 per month for wards in county institutions.

Like the counties, the Youth Authority has been hard pressed to obtain adequate financial resources. However, the Youth Authority administration feels that, compared to other State agencies, they have fared rather well in budget allocations. The relatively satisfied view of some administrative and budget personnel is in sharp contrast to that of many institutional workers who feel greatly handicapped with large units and poor staffing ratios. However, Youth Authority administrators are aware that, if the counties continue to commit fewer youths, a greater proportion of whom are "hard-core" delinquents, the smaller numbers and harder-to-manage types of wards will raise the average cost at an increasingly rapid rate.[58]

IV. RESEARCH AND EVALUATION

Up to this point the network of juvenile institutions in California has been described in terms of its goals, functions, and resources. Before outlining the Task Force's recommendations, it is important to assess the effectiveness of the system. The balance of this chapter deals with three issues relevant to research and evaluation. First, it deals with the general role of research and evaluation in California's juvenile institutions; second, it examines the relevant evidence regarding the impact of these institutions; third, it projects what are the most promising directions for juvenile institutions to follow.

Role of Research and Evaluation

A basic principle of good correctional practice is that research and evaluation must be an integral part of every program. Programs must be held accountable for producing reasonably acceptable results. The field of corrections needs constantly to evaluate what it has done, how it is doing, and what new strategies are needed to improve overall performance. In spite of the importance of research, the President's Commission on Law Enforcement and Administration of Justice has stated that:

> "The most conspicuous problems in corrections today are lack of knowledge and unsystematic approach to the development of programs and techniques. Changes in correctional treatment have been guided primarily by what Wright calls "intuitive opportunism", a kind of goal-oriented guessing."[59]

The Commission's report continues:

> "Failure to attempt really systematic research and evaluation of various operational programs has led to repetitive error. Even more, it has made it impossible to pinpoint the reasons for success when success did occur."[60]

The Final Report of the Joint Commission on Correctional Manpower and Training points to the heart of the problem:

> "Correctional agencies in the main are not committed to research and are reluctant to obligate funds and personnel to assessment of correctional efforts."[61]

Basically, there are two types of research that are particularly relevant to corrections. The first is essentially a descriptive compilation of data, e.g. on population movement and client characteristics. This kind of informatio is necessary for budgetary considerations, population projections, and general planning. The second type of research, sometimes called "action-research", pertains to involvement in program planning and evaluation. The researcher should not be an "ivory tower" isolate but should be part of a team, along with administrators and line staff, in deciding program goals, helping to develo specific strategies and criteria for measuring success or failure, observing the program as it is carried out, evaluating and interpreting the results, and disseminating the findings or conclusions to other correctional practitioners.

At the county level, some effort has been made in recent years to gather descriptive population data. As yet, however, these efforts have not resulted in a well-developed records-keeping system. Whatever available data exist are received and published by the Bureau of Criminal Statistics. The second type of research, however, is still a novelty. Many administrators of county facilities believed that sophisticated research was too complicated or expensive for their departments, and that its findings were of questionable value. They also felt that "action-research" is more properly the responsibility of the State. In short, there is not much local understanding of or commitment to "action-research".

The Youth Authority, on the other hand, has been a national leader in both types of research for a number of years. Annually it publishes volumes of data on population movement, rates, trends, ward characteristics, and so on. In addition, it has a sizeable research staff that is deeply involved in evaluating current programs and disseminating this information. However, on the basis of comments made by a number of Youth Authority research staff and institutional personnel, a considerably greater financial investment in research will be required (at the present time approximately $500,000 or 1% of the Youth Authority Support Budget is being allocated to research). This suggests that a number of problems concerning the importance and relevance of research continue to be unrecognized. Some field personnel felt that researchers were not of sufficient assistance in helping them to evaluate their operations, particularly at the key decision-making points in the system. They also asserted that, even when their programs were evaluated, the results were frequently not used as the basis for further action. A number of research staff agreed with the point that at times there was sufficient administrative follow-through on their research findings. On the other hand, administrative officials reported that action was in fact taken whenever the results of research were specific enough to warrant it. However, they claimed that research results were frequently not that "clear-cut". Whatever the actual situation, direction for improvement would appear to lie in the recommendation made by the President's Crime Commission for a closely intertwined team effort by administration, research personnel, and field staff.[62]

Impact of Correctional Programs

Perhaps the least comfortable question for correctional personnel to ask themselves is "What are we accomplishing?". The discomfort centers around accountability and the need to justify one's professional existence and efforts. Perhaps this is one of the major reasons why the State of California has made a relatively small commitment to careful evaluation of its correctional programs. Inadequate resources for proper evaluation are further compounded by traditional problems of determining what criteria to use for determining success or failure and of assessing how well these criteria are met.

At the county level. The only follow-up study of local juvenile facilities on a broad-scale is one conducted by the Bureau of Criminal Statistics.[63] This study followed the delinquent or ciminal history for 18 months of the 4,765 juveniles released from all county institutions in 1966. The Bureau found that two-thirds of both the boys and girls were not convicted of a serious law violation within the 18 month period. Twenty-eight percent of the total group, however, were committed to the Youth Authority within that time. Considering only those youth who successfully completed their camp program, 77% were not convicted of serious law violations. In addition, it was found that for youths serving more than 3 months in a camp, there was no relationship between time spent in the institution and success or failure upon release. In other words, "those youths released after four or five months did substantially as well as those youths released after nine or ten months".[64]

This study suggests two important conclusions. First, a rather high percentage of county camp graduates succeed when "success" is defined by serious law violation committed over a reasonably lengthy period after release. Second, beyond a certain point (three months) further incarceration does not appear to achieve any better results.

At the State level. In contrast to the network of local institutions, the Youth Authority maintains detailed records of post-institutional adjustment. Unfortunately, the results are not encouraging.

Table XIV shows the violation rates for all Youth Authority wards paroled in 1964 and 1965 during a follow-up period of at least 4 years. Sixty-five percent of the boys and 47% of the girls violated parole within that time. Three-quarters of the violations occurred during the first 15 months, and nearly 90% within 2 years. Violation rates, for either boys or girls, have varied very little over at least the past decade.[65]

A study of all wards committed to the Youth Authority between 1954 and 1961 showed that, of those discharged by January 1969 (over 90%), only 29% of the boys and 39% of the girls never had their parole suspended.[66] Thirty-nine percent of the boys and 30% of the girls were returned to Youth Authority institutions at least once. An additional 19% of the boys and 11% of the girls had their parole suspended at the time of discharge from the Youth Authority (generally meaning they were committed to prison or were under the jurisdiction of the adult courts).

There are two important limitations on the study reported above. First, the study did not indicate what percent of parole violations was due to new crimes and what percent was due to technical violations. Second, the study did not follow delinquent or ciminal history after discharge from parole. A 5 year follow-up study by Jamison et al. revealed that only 37% of all Youth Authority male wards discharged in 1953 and 30% of those discharged in 1958 were not known to have received a sentence for further criminal activity within 5 years after their discharge.[67] On the other hand, it was found that 43% of both groups of boys had been committed to prison within that time. In marked contrast, only 1 out of 5 girls in both groups were known to have been convicted of any offense during the 5 year follow-up period.

The above statistics are discouraging. It is apparent that a very high percentage of Youth Authority wards, particularly boys, continue to violate the law, often seriously, after the last resort of the system--incarceration in the Youth Authority--is imposed. In spite of several years spent trying to modify their behavior as juveniles, many youths graduate to the adult criminal system, including the prison population. Perhaps the most optimistic finding, supported by the study of Jamison et al.,[68] is that the great majority of girls eventually seem to become law-abiding once leaving the parole system.

In considering these results, two important factors must be kept in mind. First, the population to be treated is a very "high-risk" one. Many, if not most, can be reasonably expected to fail, at least when "failure" is

TABLE XIV

TIME ON PAROLE PRIOR TO VIOLATION FOR WARDS RELEASED TO CYA PAROLE IN 1964 & 1965

(Cumulative Percentages)

TIME ON PAROLE PRIOR TO VIOLATION	TOTAL (N-16,499)	BOYS (N-14,188)	GIRLS (N-2,311)
3 months or less	14	14	13
6 months	26	26	23
9 months	35	36	29
12 months	41	42	33
15 months	46	48	36
18 months	50	52	38
21 months	53	55	40
24 months	55	57	42
30 months	58	61	44
36 months	60	63	46
42 months	61	64	47
48 months	62	64	47
49 months or more	62	65	47

Source: Department of Youth Authority, Annual Statistical Report: 1969, State of California (Sacramento, 1970), p. 30.

defined in terms of further law violations. The Youth Authority population represents those with whom local correctional systems feel they are unable to cope. Youth Authority wards tend to be the more sophisticated, "hardercore" delinquents. Local programs have not succeeded in bringing about a change in attitudes and behavior. Often the ward who is committed to the Youth Authority has succeeded in only one area - he is a "successful" failure. Analogously, if a staff of physicians is given the task of treating a group of patients with advanced pneumonia, the success rate cannot be expected to match that of a group of patients having only common colds. Second, the failure of youths on parole or after parole cannot be blamed entirely on the failure of correctional institutions. The impact of an institution is hardly the only factor that influences a youth's behavior once he is released. Failure on parole essentially represents a breakdown in efforts to reintegrate youths back into the community.

In an attempt to evaluate the impact of Youth Authority institutions on recidivism, Table XV lists the actual and expected (determined by base expectancy ratings) violation rates for 1968 parolees from each of the regular institutions. Based on the chi square test of statistical probability, graduates of Paso Robles, Nelles, and Los Guilucos had significantly higher violation rates than expected, while Ventura parolees had significantly lower violation rates. Graduates of the remaining 9 institutions had neither significantly higher nor lower rates of violation than were anticipated. Based on this admittedly crude criterion, it is difficult to demonstrate that the Youth Authority institutions are doing significantly worse than could reasonably be expected.

Earlier this Report pointed out that the major task of juvenile institutions is to prepare youths for release. Even though institutions performed this job reasonably well, a youth normally returns to his old environment, which may well continue to influence him, perhaps more strongly than ever, to resume his illegal behavior. Blaming recidivism on an institutional program (or the lack of one) is like blaming a fifth grade teacher for a former student's failure of a college entrance examination. Perhaps there is some connection, but it is scarcely an all-determing one.

Promising Directions

This section will highlight some of the most promising programs that are currently in existence in the State. It is not meant to imply that these are the only, or necessarily the best, institutional programs. Rather, they are mentioned because they appear to be based on the fundamental correctional principles that were stressed in Chapter III. While they are grouped under specific headings, it is readily apparent that several programs illustrate more than one principle.

Minimizing penetration into the institutional system. Some of the negative aspects of institutionalization have already been discussed. A number of programs have recently developed with the aim of countering negative influences. Several short-term institutional programs have already been

TABLE XV

EXPECTED AND ACTUAL VIOLATION RATES OF YOUTH AUTHORITY 1968 PAROLEES, BY INSTITUTIONS
(Within 15 months on parole)

INSTITUTION	PERCENT EXPECTED VIOLATORS	PERCENT ACTUAL VIOLATORS	DIFFERENCE	STATISTICAL SIGNIFICANCE LEVEL
Paso Robles	55	62	+7	.01
Nelles	57	62	+5	.05
Fricot	61	55	-6	Not Significant
O. H. Close	57	56	-1	Not Significant
Karl Holton	46	43	-3	Not Significant
Preston	46	46	0	Not Significant
Y.T.S.	38	36	-2	Not Significant
Ben Lomond	38	30	-8	Not Significant
Mt. Bullion	37	32	-5	Not Significant
Pine Grove	38	30	-8	Not Significant
Washington Ridge	37	34	-3	Not Significant
Los Guilucos	37	48	+11	.01
Ventura	36	30	-6	.02

Source: Department of Youth Authority, Institutional Experience Summary: 1968 Parole Releases, State of California (Sacramento, January 1971), pp. 22-25.

discussed. These were the Fremont, Marshall, and Ventura experiments. In addition, the Community Treatment Program was described which eliminates any confinement after the reception center process.

Los Angeles and San Bernardino Counties have created short-term intensive treatment units which retain youths from a few weeks to 3 or 4 months. The objective is to work intensively with each youth and his family on a crisis intervention basis. Youths are returned home as soon as sufficient stress has been alleviated. For example, Los Angeles County uses Conjoint Family therapy techniques in special crisis intervention units even at the intake point. This strategy makes it possible for many youths to return home instead of remaining in custody until court.

One of the most progressive trends, from the standpoint of eliminating around-the-clock confinement and allowing for unlimited creative potential, is the day care center concept developing at the county level. While such facilities are long overdue, support for them is rapidly gaining momentum Currently, there are 3 in the San Francisco Bay Area (in Contra Costa and San Mateo Counties) and 7 in Southern California (3 in San Diego County and 4 in Los Angeles County). Several more are being planned in other jurisdictions. San Mateo County recently completed a five year study of its day care center, demonstrating impressive results in terms of both cost and effectiveness. The per capita cost is reported to be less than one-half of the cost for regular institutional care. It was also reported that 89% of the girls who had been in the program had not been in trouble serious enough to remove them from their homes in the period following release from the program. A major advantage of the day care type of program is its flexibility to adapt both to the specialized needs of clients and to the resources available in the community. For example, the GUIDE program in Concord teaches some basic courses in the "field" (e.g. girls are taken on trips to learn science or history); Los Angeles has some of its day care centers located at regular schools in the community while other centers operate their own structured classroom setting.

Differential programming. One of the most sophisticated and carefully developed classification systems in California is I-Level. Based on a theory of personality and interpersonal development, I-Level "provides a classification of offenders which can be reliably used and which has relevance to treatment planning, goal-setting and program organization".[69] Though it has some serious limitations,[70] including extensive demands on time and training, it is being widely used in the Youth Authority and a number of counties.

A major effort at differential programming is underway at the Youth Authority's Northern Youth Center in Stockton. Two adjacent institutions are employing two distinct strategies based on explicit treatment approaches. One, O. H. Close, is centering its entire treatment efforts around the psychodynamic principles of transactional analysis. The other, Karl Holton, has based its strategy on the principles of behavior modification or operant conditioning.[71] A detailed report on the first 4 years of operation, comparing the programs with each other and with the other Youth Authority programs, is due in March, 1972.

Creating normal social settings in institutions. One of the inherent handicaps of institutions is their creation of an atypical, if not unnatural, social setting, viz. a uni-sexual environment. While many residents need the controls of a structured institutional setting it is unrealistic to expect that resocialization can be achieved within an unnatural setting. Orange County has made important strides in providing a more realistic and natural environment in several of its facilities by making them co-educational. Staff feel that mixing boys and girls in a total living situation (excluding only "showering and sleeping") not only affords them a realistic perspective for problem resolution, but also provides a normal level of social control. Hence, contrived controls may be kept at a minimum.

Continuity between institution and community. While a number of institutions bring outside community resource people into the facility, the reverse procedure creates a more constructive tie with the community and makes better use of available resources. A noteworthy program is the Fricot college plan, in which selected youth are bussed daily to a local college campus for classes. This approach not only places the youth in a more normal situation, but also tends to promote greater acceptance of wards by the community through "rubbing shoulders with them".

The Santa Clara County Board of Education has initiated a unique program to provide a continuum of education services for those students removed from the community to county or State institutions. The program "actively involves the local school community in planning for the educational programs of these youths and to insure their acceptability back into the local school upon release from the institution".[72] A Liaison Coordinator works with the schools, the institutional staff, the youth himself, and other interested parties in an effort to continually update the youth's educational program wherever he is. The philosophy of the project is expressed by its coordinator:

> "These CYA kids don't belong to the State. They are ours. They belong to our community. If we can't help them, who can?"[73]

The Las Palmas school for girls, in Los Angeles, has effectively shortened the treatment phases which take place in the institution and extended them into an appropriate community setting. Rather than waiting until the girls have gone through the total regimen, the staff releases each girl "as soon as it is reasonably possible to risk her leaving the institution".[74] The program includes intensive aftercare service, which diminishes as the girls develop strength of their own. While the overall period of supervision is not necessarily shortened, the time spent in the institution is reduced by an estimated 35%.

V. SUMMARY

This chapter has discussed the current system of local and State institutions in California. As a result of the survey conducted by the Task Force on Juvenile Institutions, as well as its review of relevant literature, a number of generalizations can be made about juvenile institutions in California. First, the large number of local institutions that have developed over the last fifteen years are in large measure the result of legislation authorizing the State to establish a partnership with counties. A major link in this partnership has been in the form of State subsidies for the construction and maintenance of local institutions. The chapter has shown that local institutions have a distinct advantage over State institutions in terms of size, geographic location, quality of staff, and per capita costs. However, State subsidies have not kept abreast of rising construction and maintenance costs and as a result many local officials believe that the State has broken its agreement in the partnership.

Second, juvenile institutional populations have decliend in numbers especially since 1965. At the same time they have become increasingly "concentrated", receiving older, more sophisticated and "hard-core" youths. The changing composition of the institution population is the source of considerable anxiety among staff members, particularly at the State level. The keenly felt need for advancing existing programs and establishing new ones is frustrated by the knowledge of shrinking State funds. This problem is exacerbated by the fact that classification systems are virtually unknown and non-existent in the local institutions. On the State level, classification is not of any great value because of an unfortunate lack of coordination between the Youth Authority's reception centers and its institutions.

Third, while the recidivism rate is generally high among youth released from juvenile institutions, it does not necessarily mean that institutions are completely failing in their efforts. Indeed, in light of the changes in the types of youth currently placed in institutions, the recidivism rates are not unreasonably high.

Finally, promising trends have emerged in the form of shortening the length of stay without significantly affecting recidivism, and in the establishment of innovative community-based treatment programs. However, Gibbons' recent comments about traditional training schools should be kept in mind by correctional decision-makers:

> "Available data point to the benign impact of the institution, rather than to any directly harmful consequences upon delinquents. In short, the training school appears to be a satisfactory warehouse for the temporary storage of delinquents if the community demands that they be isolated for some time period, but it ought not be supposed that the institution is a positive influence."[75] (emphasis added).

FOOTNOTES

[1] California Welfare and Institutions Code, Section 1700.

[2] Ibid., Section 881.

[3] Ibid., Section 1730.

[4] David Fogel, "Institutional Strategies in Dealing with Youthful Offenders", Federal Probation, Vol. 31 (June, 1967), p. 41.

[5] Department of Youth Authority, Annual Statistical Report: 1969, State of California (Sacramento, 1970), p. 5.

[6] Report of the Governor's Special Study Commission on Juvenile Justice, Part II (Sacramento, November 30, 1960), p. 41.

[7] David Fogel, "The Fate of the Rehabilitative Ideal in California Youth Authority Dispositions", Crime and Delinquency, Vol. 15, No. 4 (October, 1969), p. 484.

[8] Ibid.

[9] State of California (Sacramento, September 1969), p. 7. (Note: this is an internal, unpublished document that is not available for distribution).

[10] Don Gibbons, Society, Crime, and Criminal Careers (Englewood Cliffs: Prentice-Hall, 1968), p. 479.

[11] Ibid., p. 482.

[12] California Welfare and Institutions Code, Sections 889-890.

[13] President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington: U.S. Government Printing Office, 1967), p. 212.

[14] Ibid.

[15] Department of Youth Authority, Characteristics of California Youth Authority Wards: December 31, 1970, State of California (Sacramento, 1971), p. 17.

[16] Relevant legislation is contained in Sections 1850-61 of the Welfare and Institutions Code. A detailed description of this facility may be found in: Institute for the Study of Crime and Delinquency, Youth Correctional Centers (Sacramento, February 1969).

[17] President's Commission on Law Enforcement and Administration of Justice, op. cit., p. 68.

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[18] Division of Community Services, "Average Length of Stay, Cost, and Bed Capacity of County Operated Juvenile Homes, Ranches, and Camps", Department of Youth Authority, State of California (Sacramento, March 1971). (Mimeographed.)

[19] Joachim Seckel, The Fremont Experiment, Research Report No. 50, Department of Youth Authority, State of California (Sacramento, January 1967), p. i.

[20] Doug Knight, The Marshall Program, Part 1, Research Report No. 56, Department of Youth Authority, State of California (Sacramento, March 1969), p. x.

[21] Ibid.

[22] Doug Knight, The Marshall Program, Part II, Research Report No. 59, Department of Youth Authority, State of California (Sacramento, August 1970), p. 49.

[23] Ibid., p. 52.

[24] Chester Roberts, "An Interim Review of the Ventura Intensive Treatment Program for Girls", Department of Youth Authority, State of California (Sacramento, December 1970), p. 5. (Mimeographed.)

[25] Ibid., p. 6.

[26] Marguerite Warren, The Case for Differential Treatment of Delinquents, Department of Youth Authority, State of California (Sacramento, January 1969), p. 5.

[27] Department of Youth Authority, The Status of Current Research in the CYA: July, 1970, State of California (Sacramento, 1970), p. 4.

[28] For example see: Fritz Redl and David Wineman, Children Who Hate (New York: Collier Books, 1951); Howard Polsky, Cottage Six (New York: John Wiley and Sons, 1962); H. Ashley Weeks, Youthful Offenders at Highfields (Ann Arbor: University of Michigan Press, 1958); Lamar Empey and Jerome Rabow, "The Provo Experiment in Delinquency Rehabilitation", American Sociological Review, XXVI (October 1961), pp. 679-695.

[29] President's Commission on Law Enforcement and Administration of Justice, op. cit., p. 147.

[30] Ibid.

[31] Ibid.

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[32] See, for example, all the references in Footnote 28. Also see: Carl Jesness, *The Fricot Ranch Study*, Department of Youth Authority, State of California (Sacramento, October 1965); Rudolf Moos, "The Assessment of the Social Climates of Correctional Institutions", *Journal of Research in Crime and Delinquency*, Vol. 5, pp. 174-188; William and Joan McCord, "Two Approaches to the Cure of Delinquents", in *The Problem of Delinquency*, Sheldon Glueck (ed.) (Boston: Houghton Miffline, 1959), pp. 721-737; David Street, Robert Vinter, and Charles Perrow, *Organization for Treatment: A Comparative Study of Institutions for Delinquents* (New York: The Free Press, 1966).

[33] Doug Knight, *The Impact of Living-unit Size in Youth Training Schools*, Department of Youth Authority, State of California (Sacramento, April 1971).

[34] *Ibid*., p. v.

[35] *Ibid*., p. 37.

[36] See, for example: Polsky, *op. cit*., pp. 16-20; Empey and Rabow, *op. cit*.; H. Ashley Weeks, "The Highfields Project and Its Success", in *The Sociology of Punishment and Correction*, Norman Johnston, Leonard Savitz, and Marvin Wolfgang (eds.) (New York: John Wiley and Sons, 1962), pp. 203-204.

[37] Carl Jesness, "Comparative Effectiveness of Two Institutional Programs for Delinquents", *Child Care Quarterly* (in press. 1971).

[38] President's Commission on Law Enforcement and Administration of Justice, *op. cit*., p. 147.

[39] *Ibid*., p. 148.

[40] Department of Youth Authority, *The Disturbed and Intractable Wards*, *op. cit*., p. 6.

[41] Department of Youth Authority, *Some Statistical Facts on the California Youth Authority*, State of California (Sacramento, January 1970), p. 27.

[42] Department of Youth Authority, *Standards for Juvenile Homes, Ranches, and Camps*, State of California (Sacramento, 1965), p. 12.

[43] (Washington: U.S. Government Printing Office, 1967), pp. 145-147, 212.

[44] (Washington, December 1969), pp. 62-66.

[45] State of California (Sacramento, September 1965), pp. 16-17.

[46] (Arcadia, 1965), pp. 9-14.

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[47] Department of Youth Authority, *Characteristics of CYA Wards: December 31, 1970*, *op. cit.*, p. 17.

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[50] *Ibid.*; President's Commission on Law Enforcement and Administration of Justice, *op. cit.*, pp. 102-104.

[51] President's Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society* (Washington: U.S. Government Printing Office, February 1967), p. 168.

[52] *Task Force Report: Corrections*, *loc. cit.*

[53] For example: Joint Commission on Correctional Manpower and Training, *Volunteers Look at Corrections* (Washington, February 1969); President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Corrections*, *op. cit.*, p. 104; Paul Zelhart and Jack Plummer (eds.), *Institute on Research with Volunteers in Juvenile Delinquency* (University of Arkansas, May 1970); U.S. Department of Health, Education, and Welfare, *Using Volunteers in Court Settings* (Washington, 1969); U.S. Department of Health, Education, and Welfare, *Volunteer Programs in Courts* (Washington, 1969); June Morrison, *The Use of Volunteers in Juvenile Courts in the United States: A Survey* (University of Arizona, February 1970).

[54] California Task Force on Correctional Manpower and Training, *Mobilizing Correctional Manpower* (Sacramento, September 1968); Department of Youth Authority, *Training for Tomorrow*, State of California (Sacramento, July 1970).

[55] California Welfare and Institutions Code, Sections 887 and 891.

[56] Community Services Division, *loc. cit.*

[57] CYA Budget Analysis, 1970-71.

[58] Research Division, "Estimating Career Costs of Youth Authority Wards", Department of Youth Authority, State of California (Sacramento, February 1970). (Mimeographed).

[59] President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Corrections*, *op. cit.*, p. 13.

[60] *Ibid.*

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[61] Final Report of the Joint Commission on Correctional Manpower and Training, *A Time to Act* (Washington: U.S. Government Printing Office, October 1969), p. 38.

[62] President's Commission on Law Enforcement and Administration of Justice, *Task Force Report*: *Corrections*, *op*. *cit*., pp. 13-14.

[63] Bureau of Criminal Statistics, *California Juvenile Camps and Recidivism*, State of California (Sacramento, May 1969).

[64] *Ibid*., p. 22.

[65] Department of Youth Authority, *Annual Statistical Report*: *1969*, *op*. *cit*., p. 30.

[66] "Follow-up of Youth Authority Wards from Admission to Discharge", Department of Youth Authority, State of California (Sacramento, January 1970). (Mimeographed.)

[67] Carolyn Jamison, Bertram Johnson, and Evelyn Guttmann, *An Analysis of Post-Discharge Criminal Behavior*, Research Report No. 49, Department of Youth Authority, State of California (Sacramento, November 1966), p. 12.

[68] *Ibid*.

[69] Marguerite Warren, *op*. *cit*., p. 16.

[70] Don C. Gibbons, "Differential Treatment of Delinquents and Inter-Personal Maturity Levels Theory: A Critque", *The Social Service Review*, Vol. 44 (March, 1970), pp. 22-33.

[71] See: Carl Jesness, "The Youth Center Research Project", (American Justice Institute, December 1970). (Mimeographed.)

[72] Richard Bowers, Memorandum to Dr. Glen Hoffman, Santa Clara County Superintendent of Schools, December 16, 1969.

[73] Sam Hanson, "Locked-up Students Receive Credit for a School Diploma", news articles in *The Mercury*, San Jose, March 30, 1970.

[74] Los Angeles County Probation Department, "Las Palmas Treatment Program", Los Angeles, June 25, 1965). (Mimeographed.)

[75] Don C. Gibbons, *Delinquent Behavior* (Englewood Cliffs: Prentice-Hall, Inc., 1970), pp. 260-261.

CHAPTER V

PREVAILING ISSUES AND RECOMMENDATIONS

With the current state of the juvenile institutions system having been examined, this chapter will underscore the major issues affecting the system and will offer specific recommendations for its improvement. The primary guidelines for this discussion and recommendations are the juvenile institutions "model" discussed in Chapter III and the survey findings discussed in Chapter IV. While many additional recommendations or implications for action should be apparent from simply reading those two chapters, this chapter will highlight only those issues and recommendations that would appear to have the greatest impact on changing systems. All of the recommendations are predicated on the principal philosophy and thrust of the entire Correctional System Study, viz. the critical partnership of State and counties, with the counties having the primary responsibility for the delivery of services, and the State having the primary overall and enabling responsibility for the correctional system.

In reviewing the recommendations, two factors should be kept in mind. First, it should not be assumed that they have not as yet been implemented anywhere in the system. In fact, some jurisdictions or institutions have already made considerable progress in resolving some of the critical issues discussed. The efforts of these jurisdictions could well be the source for some of the recommendations made here. Secondly, any references to "the Youth Authority" or simply "the State" (but not "the State of California") should be interpreted as applying to the Youth Authority now, but to the new State Department of Correctional Services recommended in the System Task Force Report, if such Department is created.

Finally, the first recommendation, not listed below because it is outside the scope of the present study, is that a careful study be made of the entire intake process with special emphasis on redefining what constitutes delinquency and suggesting mechanisms for diverting youths from the correctional apparatus at all points in the system but particularly from institutions.

I. CREDIBILITY GAP BETWEEN STATE AND COUNTIES

One of the clearest and stongest "messages" received by the Juvenile Institution Task Force throughout its study was the credibility gap that currently exists between the State of California and the individual counties. While elements of this gap have existed for many years, the level of distrust and antagonism that currently exists far exceeds that which is normally found in State-county relationships. Essentially, county authorities allege that the State does not keep its word. They cite the original camp subsidy (of $95 per month and $3,000 per bed for construction) as evidence of situations where the counties developed programs at the urging of the State, only to end up paying for an increasingly larger share of the costs. Local authorities also cite the welfare programs, the amendments to mental health statutes, and the probation subsidy as further evidence that the State cannot be trusted.

It is apparent that the expression of distrust is more than simply the voices of a few malcontents. It is now the strong, hostile view of most, if not all, counties.

Although numerous county officials attack, with considerable vehemence and bitterness, what they perceive as the State's leading them into financial quicksand and then deserting them, many of these same individuals also stress their need for and receptivity to a wide range of special services or guidance from the State. For example, they would like the State to play an even stronger role in carrying out or coordinating training, research, standard-setting, inspections, general consultation, and other similar activities. This feeling is common not only among correctional administrators but also among other key officials. For example, 95% of all presiding superior court judges, chairmen of boards of supervisors, and county administrative officers who were interviewed felt that the State should actively "augment local or regional correctional facilities/programs". This suggests that, while the counties do not trust the State's financial pledges or promises, they have experienced many beneficial services, notably from the Youth Authority, and continue to look to the State for additional specialized assistance and leadership.

The first and most important formal recommendation of the Juvenile Institution Task Force is based on the problems mentioned above, the virtually unanimous sentiment of interviewed correctional experts, and the first two general standards of the President's Commission on Law Enforcement and Administration of Justice which are:

> 1. "Though parts of the correctional system may be operated by local jurisdictions, the State government should be responsible for the quality of all correctional systems and programs within the State.
>
> 2. "If local jurisdictions operate parts of the correctional program, the State should clearly designate a parent agency responsible for consultation, standard setting, research, training, and financing of or subsidy to local programs."[1]

Recommendation

1. The State of California should enact legislation clearly spelling out its role and binding commitment to acceptance of the primary overall and enabling responsibility for corrections throughout the State, with the counties having the primary responsibility for the delivery of correctional services.

II. SUBSIDY

Flowing directly from the above discussion, it is obvious that the State of California must make a vital decision. Either it can continue with the unsatisfactory status quo, thus engendering increased hostility and distrust at the local level, and seriously jeopardizing the overall effectiveness of the county juvenile facilities, or it can renew its financial commitment to the counties, as clearly implied in Sections 887 and 891 of the Welfare and Institutions Code.

The State still pays only $95 per month per institutionalized ward and $3,000 per bed for new construction, representing approximately 17% and 25%, respectively, of actual costs. This obviously falls far behind the legislative intent in 1957, when these amounts were set, of paying up to 50% of actual costs. Additionally, as the System Task Force Report discusses in greater detail, the State will have saved an estimated $126,000,000 between fiscal years 1966 and 1971[2] by a reduction in the number of institutional commitments. This reduction must in large measure be attributed to the camp and particularly probation subsidy programs. By contrast, the State will pay the counties approximately $3,000,000 in maintenance subsidies and $600,000 in construction costs for local juvenile facilities during fiscal 1971-72[3], (plus $15,900,000 in probation subsidies).

Because of the large amount of Federal L.E.A.A. funds available for California corrections through the California Council on Criminal Justice, it is imperative that these funds be channelled into the correctional system in a manner that will best assist local communities in the delivery of correctional services. Forty-one million dollars in Federal funding is earmarked for California criminal justice agencies in 1971-72. Any portion of this sum can be allocated to corrections plus an additional $4,000,000 that is totally committed to the field. Furthermore, it is expected that these amounts will be substantially increased in the future. Hence, the third recommendation below is made in relation to the issue of subsidy.

Recommendations

2. The State of California should subsidize county camps, ranches, schools, and homes in accord with the overall subsidy program specified in the System Task Force Report. Essentially, that Report recommends subsidization for actual costs of maintenance and operation according to the following ratios:

- *a. 75/25--Probation field services, including day care programs. This means that the State would pay 75% of the costs and the counties 25%.*
- *b. 60/40--"Open" institutions (facilities where youths reside but from which they have regular access to the community, e.g. group homes or facilities which send youths to school in the community).*
- *c. 40/60--"Closed", but community-based and short-term institutions (i.e. youths normally reside in them 24 hours a day, but they are located in the community, have a high degree of interaction with the community, and limit length of stay to 6 months or less).*

d. 25/75--Other "closed" institutions (i.e. those which commit youths for more than 6 months, or which are not located reasonably close to the communities from which the youths are drawn).

This subvention presumes an obligation on the part of the counties of adherence to State standards.

3. On the other hand, assuming that the above recommendation is implemented, the counties should pay 75% of the actual cost for any youths committed to the State.

4. The California Council on Criminal Justice should provide whatever funds are available to help the counties develop those juvenile institutional programs that are most critically needed and which are consistent with the principles and standards set forth in Chapter III.

III. CLASSIFICATION AND DIAGNOSIS

As the counties continue to handle a greater proportion of youths requiring institutionalization, they will have increasing need for sophisticated classification and diagnostic devices. At the State level, the major porblems are time delays in receiving materials from the counties, the limited and/or slanted nature of the reports that are received, the questionable value of the reception centers, and the unnecessary role of the Youth Authority Board in case assignments and transfers. As counties assume the central role in the corrections process, the problems relating to time delays and the content of reports should be largely resolved.

The majority of Youth Authority staff interviewed seriously questioned the need for the existing reception centers, at least for most youths. Problems cited were (1) the lack of first hand knowledge by reception center staff about the programs in specific institutions for which they were recommending youth, (2) reports that primarily described youths rather than outlining treatment programs, (3) the necessity of duplicating some of the classification-diagnosis process in the regular institutions, and (4) the fact that reception center reports were rarely, if ever, read by many of the institutional staff. In defense of the reception centers, it might be pointed out that they have the ability of diagnosing particularly difficult cases.

The involvement of the Youth Authority Board in the assignment and transfer of wards to specific institutions was the subject of great concern and frequent staff criticism. Probably the most frequent complaint was that the Board made its placement decisions on gross factors, such as age and sex, rather than on individual treatment and program needs. It would appear that high-salaried individuals are not needed to make decisions that clinical treatment staff are in a better position to make.

Recommendations

5. No youths should be sent to the Youth Authority reception centers unless it is absolutely necessary to resolve a specific problem of classification or diagnosis that can not be handled in any other way. All normal classification and diagnostic responsibilities should be delegated to the individual State institutions or should be performed at the county level via contracts before delivery of a youth to the CYA.

6. The Youth Authority Board should be relieved of the responsibility for making institutional assignments or transfers. These duties should be assigned to the CYA Intake Unit or other Youth Authority staff.

7. The Youth Authority should consider modifying its reception centers to provide one or more of the following:

- *a. "back-up" facilities of a medical-psychiatric nature for short-term treatment of emotionally disturbed youths,*
- *b. model Youth Correctional Centers,*[4]
- *c. small specialized units for the diagnosis and study of those youths for whom these services cannot be adequately performed elsewhere,*
- *d. travelling clincial teams to provide classification and diagnostic services for the other Youth Authority institutions and, on a contractual basis, for the counties.*

8. The Youth Authority should more aggressively reject cases, or at least notify the committing court, when commitment does not seem necessary or where the CYA does not have appropriate programs (e.g. youths who belong in a mental health facility or program).

IV. PROGRAM GAPS

Emotionally Disturbed Youth and Drug Users

Probably the most serious gaps in programs and facilities, at both the State and county levels, are those required for emotionally disturbed youths or for chronic drug users. Since recent amendments to the State's mental health statutes, mental hygiene facilities in California have been greatly reduced. However, for reasons not entirely clear, local communities have been unable to develop programs to fill the void. As mentioned in Chapter III, both State and county officials reported that they were receiving increasing numbers of mentally and/or emotionally disturbed youths and were totally unprepared to deal with this growing problem within the correctional system. Many drug users closely resemble the above types of youths and pose the same types of problems. One could argue whether it was emotional disturbance or drug use that came first, i.e. whether one was more likely to lead to the other. However, the simple fact is that many youths exhibit both types of behavior and adequate programs for both are grossly lacking throughout the State.

Young Adults

A group for which there are extremely few programs, particularly at the county level, is the group which traditionally has the highest crime rate, viz. young adults (roughly ages 18-25). The most commonly used facilities for young adults deemed to require confinement have been the county jails, which have traditionally been considered to be at the bottom of the "correctional barrel". Although there is existing legislation pledging State subsidization of Youth Correctional Centers,[5] no county has yet established one. Some local officials reported that this situation was in large measure due to the fact that citizens objected to the establishment of such facilities in their neighborhoods. Ironically, the youths that would be placed in these centers are already residents of the same neighborhoods. An additional problem, however, is that no State funds have actually been appropriated for these centers as yet.

Girls

Historically, there has always been a dearth of adequate facilities for girls, although one could argue that extremely few girls should be confined anyway. However, the lack of any type of local institution for delinquent girls in many small and medium-sized counties has too often led to their commitment to the Youth Authority. Here they have been confined with much more sophisticated delinquents from the large metropolitan areas. The Youth Authority is aware of this fact and has committed itself to the goal of diverting girls from its institutions whenever possible.

While very few jurisdictions have experimented with co-educational facilities, administrators of such facilities speak very highly of their value as a behavioral control program, as a means for counteracting homosexual tendencies, and as an effective means for establishing a more normal type of environment. It is generally suggested that staff, as well as wards, be "co-ed".

Educational and Vocational Programs

Institutions by their very nature tend to be conservative, cautious, slow to change, isolated, and committed to "running a smooth ship". Programs are usually developed around the needs and limitations of the institution. This situation occurs partly because of the control-orientation of these facilities and in large part because such programs generally evolve after the institution is constructed, rather than forming the basis upon which the institution is built. In brief, programs are forced to fit institutions, instead of institutions being constructed to fit programs.

The more progressive facilities have traditionally attempted to develop their own educational and/or vocational programs within the institution. While there are some noteworthy exceptions, even these facilities frequently have "watered-down" school programs and vocational training to the point where they are of little value to youths after they are released. Furthermore, even the best of these programs tend to be duplications--often poor ones--of programs already existing in the community.

Some local administrators complained of problems with outside school personnel and would prefer to hire their own educators in order to better integrate educational services into their overall program.

The direction of the future appears to be exemplified by the Fricot College Program, in which youths are taken to outside college courses, as well as by some county day care centers which operate at regular schools. Such innovations offer a far more normal and better quality of program, reduce the isolation characteristic of institutions, and suggest a far more effective use of community resources.

Recommendations

9. Each county should make available (either directly or by contract):

a. A range of alternatives to institutionalization for every type of youth that can be satisfactorily supervised outside of institutions.

b. A range of community-based, short-term facilities for those youth who need some type of confinement, with particular emphasis on proper facilities and programs for:

i. emotionally disturbed youth

ii. drug users

iii. girls

iv. young adults

10. The Youth Authority should place greater emphasis on developing, within their present institutions, small specialized units for different types of youths, particularly those mentioned in the preceding recommendation.

11. Whenever possible, State and county facilities should be co-educational.

12. Both the State and counties should develop more educational and vocational programs in which youths are sent into the community for training in existing programs.

13. No new facility should be constructed without a State-approved plan for a specific, detailed program based on clearly stated objectives. The State should play a more active role in assisting the counties to develop such plans.

14. Permissive legislation should be enacted allowing both the State and counties to contract with one another or with non-correctional agencies or individuals to provide any type of assistance in operating institutional programs.

V. RELEASE AND AFTERCARE

Two important factors stand out with regard to the relationship of institutions and aftercare services. First, institutions are undesirable places to commit anyone, particularly youth. Their inherently negative characteristics and handicaps are seldom offset, let alone surpassed, by even the best programs or the most dedicated staffs. In brief, there is little evidence which demonstrates that institutions accomplish anything beyond greater protection of the community for the period of time that youths are confined. There certainly is no evidence to support the long-range value of lengthy incarceration. However, there is a growing accumulation of data which suggests that many, if not most, youths do just as well in the community if they are released within a short period of time than if they are retained for many months. Noteworthy examples of this are the Youth Authority's Marshall and Ventura programs and Los Angeles County's short-term treatment centers. Hence, the burden of proof should always be on the system to justify both initial and continued confinement.

Secondly, the most vulnerable point in the correctional continuum is the transition between institution and aftercare. The President's Commission on Law Enforcement and Administration of Justice puts it well:

> "The test of success of institutional corrections programs comes when offenders are released to the community. Whatever rehabilitation they have received, whatever deterrent effect their experience with incarceration has had, must upon release withstand the difficulties of readjustment to life in society and reintegration into employment, family, school, and the rest of community life. This is the time when most of the problems from which offenders were temporarily removed must be faced again and new problems arising from their status as ex-offenders must be confronted."[6]

It is no coincidence that, on a national basis, "Violations on parole tend to occur relatively soon after release from an institution, nearly half of them in the first 6 months after offenders are released, and over 60% within the first year".[7] Hence, the importance of maintaining constructive ties with the community during confinement and of maximizing correctional resources at the crucial transition point is obvious.

A related issue is how to best integrate institutional and aftercare services. The Youth Authority has a very serious problem in this regard due to the almost insurmountable geographic barriers between most of its facilities and the communities of its clientele. The counties are better able to maintain physical ties between youths, their homes, institutional workers, and aftercare officers. The most fruitful plan would appear to be the creation of community-based, intensive supervision units with staff assigned to "in-and-out" caseloads, i.e. probation officers would begin working with youths and their families from the time they were committed. By having these officers under field services administration, they would be more familiar with community resources, in a better position to work with families, and would be able to assist youths on a full-time basis at the critical point of release. In addition these officers would be less likely to have an "institutional mentality" (e.g. "We could accomplish much more with this youth if we can only keep him here longer" or "If you mess up out there, you're coming right back in here"). There should also be sufficient flexibility for a worker who supervised a youth before commitment to continue working with him in the institution, as well as after release, if his relationship with the youth makes this appropriate.

Finally, due to the extra travel time that is often involved and the need for intensive services for most of these youths, aftercare staff must have greatly reduced caseloads to be effective.

Recommendations

15. All youth should be released from any non-voluntary institutional program within six months, unless the institutional staff can demonstrate that society will receive substantially better protection in the long-run by retaining the youth. Any extension beyond six months must be carefully reviewed at least every two months by the paroling authority or the court.

16. At both the State and county levels, greater use should be made of short-term (1 to 3 months) intensive institutional programs, followed by intensive aftercare supervision as required.

17. Unless the protection of society is substantially threatened, every institution (including the program for each youth) should be "open". Appropriate family members and other persons from the community should be encouraged to come into the institution and the youths should be allowed to go into the community for appropriate activities. Youth should never completely leave the community except when it is absolutely necessary.

18. Parole or probation officers should be assigned when a youth is committed, rather than when he is released. From the time of commitment, these officers should work with the youth and his family with the aim of preparing them for the youth's release.

19. Aftercare officers (probation and parole) should be assigned to a community-based unit rather than to an institution and should carry "in-and-out" caseloads of no more than 25 youths.

20. If CYA and CDC are consolidated into a new State Department of Correctional Services, all State institutional and parole services, juvenile and adult, should be in one division, so as to provide for a continuity of services (see System Task Force Report for more details).

VI. FACILITIES

The future direction for construction of new juvenile facilities is clearly toward building or modifying institutions at the local level while at the same time closing Youth Authority institutions. Of course, this trend depends on the State's willingness to substantially increase its subsidization of local correctional programs and facilities, so that local communities can continue to carry a greater share of the responsibility for delivering services to young offenders. Obviously, the State should first close those institutions that most seriously violate acceptable correctional standards. Thus, the largest institutions, those having living units that cannot easily be converted to accommodate a reduced population, those that are geographically most isolated, and those that are least conducive to effective programs should be the first institutions to be closed. While it may be difficult to determine which institutions best fit the above criteria, one facility which seems to suffer from a plethora of handicaps is Paso Robles School for Boys. It is geographically isolated; it is one of the most expensive to operate; and is one of the least effective of the Youth Authority institutions (see Table XV).

Two other factors should be taken into account when considering the closure of State institutions. First, institutions, or parts of institutions, can be closed much more rapidly if the length of stay is reduced in accord with the evidence supplied by the Marshall and Ventura projects. As pointed out earlier, these projects show that most youths do at least as well on parole after 3 months in the institution as after longer periods of confinement. Secondly, as commitments decline further, it might be better to reduce the total population and living unit populations to reasonable standards rather than immediately closing those facilities that are otherwise well-suited to the correctional task. In fact, this may be the optimum time for the Youth Authority to improve its staffing ratios and living unit size as a "trade-off" cost to fewer commitments and/or shortened stays.

At the county level, the development in the past few years of short-term, community-based facilities such as day care centers, crisis intervention units, group homes, etc. is seen as a positive direction to pursue. A concept worth further exploration is the flexible complex (provided it does not exceed 100 beds) with "modules" or small specialized treatment units that may be altered as needs change.

Recommendations

21. No new facility (or modifications of existing ones) should be built, at either the State or county level, unless:

- *a. The total capacity does not exceed 100 and the living unit capacities do not exceed 20.*
- *b. The facility is close enough to a major community (whenever possible, the community from which the youths are committed) to allow reasonably convenient two-way access.*

There should be no construction of new State institutions for at least the next decade, although modification of existing State facilities might be in order.

22. Legislation should be enacted authorizing the State to establish mandatory minimum standards for all juvenile institutions. Failure to adhere to these standards, at either the State or county level, should result in the closure of such institutions.

VII. STAFF

The major staffing problems center around inadequate ratios of line workers and treatment staff to wards. Although this is primarily a budget issue, corrections has failed to demonstrate adequately the long-range value of better staffing patterns. Evidence based on sound research might be necessary before an already overwhelmed tax-payer will authorize more funds.

Volunteers and para-professionals are being used increasingly, but are still being resisted by many professional staff. Failure or mediocrity among such individuals often occurs when they are treated as "second class" staff, who are "tacked on" to show how "progressive" an agency is or to bolster its minority group representation. The unique qualifications and utility of these persons as supplements to, rather than supplanters of, regular staff should be stressed. Like any other staff, volunteers and para-professionals must feel that they are part of a team effort, and that they are making a worthwhile contribution. Furthermore, if correctional agencies are unwilling to hire and accept ex-offenders as employees, how can corrections expect other agencies to do so?

Relevant, individualized, ongoing training is a resource that is chronically inadequate for institutional staff. When training is available, institution staff tend to receive the least amount of it. Considerably larger budget allocations need to be set aside for institutional training costs. Of particular importance is the proper training of first line supervisors, so that they can better fulfill their responsibility of providing the bulk of on-the-job training. To maximize use of available training resources, the State needs to play a much more aggressive role in assuring that adequate training is provided both within its own institutions and local facilities as well.

Finally, correctional systems need to regularly re-evaluate their procedures for hiring, assigning, promoting, and allowing inter-agency transfer of staff. All of these issues are sources of frequent complaints and at times result in the breakdown of staff morale.

Recommendations

23. *The numbers, qualifications, and training of staff should be brought up to the standards outlined in Chapter II.*

24. *Correctional staff should actively recruit, train, and supervise volunteers and para-professionals, including ex-offenders, for institutional programs.*

25. *The State should develop a training network of State and county trainers, similar to the CO-ACT model,*[8] *to provide or coordinate necessary training for all institutional staff. This should be done without cost to the counties. Any extensive training provided by the State could be made available on a contractual basis.*

26. *Correctional personnel should be allowed to transfer between field and institutional assignments, and between various State and county correctional agencies, without loss of rank and other benefits, provided they meet the appropriate requirements. A state-wide certification procedure, that would assure minimum staff standards, should be explored.*

VIII. PUBLIC INVOLVEMENT

The value and need for the fullest possible public support and involvement is so obvious that it is not necessary to discuss it here. However, some specific areas in which the public is traditionally not sufficiently involved are mentioned in the following recommendation.

Recommendation

27. *Active efforts should be made by institutional staff to involve the public on at least three levels:*

a. *General public education and public relations.*

b. *As a source of direct aid, e.g. financially and as volunteers.*

c. *In an advisory capacity.*

IX. RESEARCH AND EVALUATION

The major issues related to the above are the lack of commitment to research and evaluation, the isolation of most existing research and evaluative activities, and the inadequate reporting and coordination of such activities on a statewide basis.

As mentioned in the last chapter, counties are struggling to maintain even adequate statistical records and only rarely experiment with "action-research". Even the Youth Authority, which no doubt is the most progressive correctional agency in the nation in the field of research, allocates only 1% of its budget to this area. However, the lack of full commitment is often not only at the budgetary level, but also in following through on the research results. Sometimes programs of questionable value are perpetuated indefinitely under the guise that "research results are not clear enough" or that "statistics can be manipulated to show anything". For example, youths are frequently kept in institutions much longer than necessary, in spite of considerable evidence that shows no better long-range results.[9]

Secondly, to the extent research and evaluation are used, they tend to occur in isolation, i.e. the staff being "researched" are not normally involved in the research process itself. To maximize commitment to findings, administrators, research staff, and line personnel should all participate in the planning and evaluation process.

Thirdly, for the State as a whole to move forward progressively, it is essential that some group coordinate and report all significant research results, wherever they occur, so that all agencies and all parts of the system can operate with the same up-to-date information.

Recommendations

28. Every institutional program should be evaluated continuously in order to determine whether or not each is achieving its stated objectives. Failure to accomplish these objectives, provided reasonably adequate resources are available, should result in modification or elimination of the program.

29. County agencies, as well as the State, should substantially increase their commitment to evaluation and research both philosophically and by allocating significantly greater resources for this function.

30. Research activities should be team efforts (involving administrators, line workers, and research staff) and should concentrate on determining and disseminating information about what does and does not assist in accomplishing the goals of corrections.

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31. The State and counties should enter into a collaborative effort of program research and evaluation. The State should play the primary role in planning, carrying out, and disseminating the results of correctional research, with active participation and cooperation from the counties. Research assistance and information should be provided for the counties without charge, but counties should be able to contract with the State or outside sources for extensive, individual projects.

FOOTNOTES

[1] *Task Force Report*: *Corrections* (Washington: U.S. Government Printing Office, 1967), p. 206.

[2] Department of Youth Authority, "Fiscal Impact", State of California (Sacramento, approximately March 1971). (Mimeographed.)

[3] Department of Finance, CYA Budget Analysis, 1971-72, State of California.

[4] See: Institute for the Study of Crime and Delinquency, *Youth Correctional Centers* (Sacramento, February 1969).

[5] California Welfare and Institutions Code, Sections 1850 to 1861.

[6] *Task Force Report*: *Corrections*, *op*. *cit*., p. 60.

[7] *Ibid*., p. 68.

[8] Department of Youth Authority, *Training for Tomorrow*, State of California (Sacramento, July 1970).

[9] See discussion in section "Research and Evaluation" in Chapter IV.

APPENDIX A

AVERAGE LENGTH OF STAY, COSTS, AND BED CAPACITY OF COUNTY OPERATED JUVENILE HOMES, RANCHES, AND CAMPS
(based on most recent inspection report)

COUNTY	INSTITUTION	AVG.MONTHLY COST PER MINOR	BED CAPACITY	AVG. LENGTH OF STAY (mos)
ALAMEDA	Chabot Boys' Camp	$ 366	90	7.1
	Kings Daughter Group Home	575	8	7.7
	Las Vista Girls' Home	832	48	3.2
	Los Cerros Senior Boys' Camp	359	100	4.6
CONTRA COSTA	Contra Costa Byron Boys' Ranch	661	65	6.1
	Boys' Protected Workshop (new)		20	
	Girls' Day Treatment Center, Western	396	10	14.0
	Bollinger Canyon Youth Village	1120	24	10.0
	Girls' Center Martinez	1310	21	5.4
	Walnut Creek Group Home (new)		6	
DEL NORTE	Bar-O Ranch	287	34	7.4
FRESNO	Fresno Youth Center	481	60	3.3
KERN	Camp Erwin W. Owen	306	90	4.5
LOS ANGELES	Camp Afflerbaugh	457	94	6.4
	Camp Gonzales	614	95	3.9
	Camp Holton**	497	94	6.0
	Camp Kilpatrick	782	95	7.2
	Camp Mendenhall	614	94	5.8
	Camp Miller	426	97	5.8
	Camp Munz	500	94	7.1
	Camp Paige	496	94	6.2
	Camp Rockey	657	94	5.8
	Camp Scott	457	94	3.9
	Camp Scudder***	539	94	6.1
	Central Juvenile Hall-Boys' Rec. Center	653	42	.3
	Central Juvenile Hall-Boys' Res. Trt. Center	634	20*	1.3
	Central Juvenile Hall-Girls' Res.Trt. Center	638	20	1.2
	Community Day Center-Garden Gate School	366	20	8.1
	East LA Day Center-Ramona High	199	20	11.7
	Las Palmas School for Girls	1032	100	6.5
	Los Padrinos J.H.-Girls' Reception Center	607	22	1.5
	Los Padrinos J.H.-Residential Family Treatment (Boys and Girls)	657	40	1.3
	San Fernando Valley J.H.-Boys' Rec. Center	707	40	2.9
	San Fernando Valley J.H.-Boys' Residential Treatment Center	675	20	1.4

* capacity increased to 40 as of 3/71
** closed due to earthquake
*** temporarily used as a juvenile hall due to earthquake

APPENDIX A (Continued)

COUNTY	INSTITUTION	AVG.MONTHLY COST PER MINOR	BED CAPACITY	AVG. LENGTH OF STAY (mos)
L.A. (Cont)	San Fernando Valley J.H.-Girls' Residential Treatment Center	$ 682	20	6.0
	San Fernando Valley Day Care Center (Boys)	329	20	9.0
	San Gabriel Valley Day Care Center (Boys)	330	20	8.8
	Camp Fenner Canyon (new)		100	
	Community Day Care Center-Betsy Ross School (new)		20	
MONTEREY	Natividad Boy's Ranch	601	40	6.5
ORANGE	Joplin Boys' Ranch	291	60	3.3
	David R. McMillan School (Coed) (Boys-40) (Girls-20)	772	60	6.1
	Family Guidance Program (Boys)	403	20	2.7
	Family Guidance Program (Girls)	403	20	3.0
	Youth Guidance Center (Boys-40) (Girls-60)	810	100	5.6
	Rancho Potrero	553	30	4.7
	Los Pinos Boys' Ranch (new)	370(4mo)	96	
RIVERSIDE	Twin Pines Ranch	462	70	7.5
SACRAMENTO	Carson Creek Boys' Ranch	345	82	5.1
SAN BENITO	San Benito School for Boys	325	19	5.9
S. BERNARDINO	Boys' Treatment Unit (Lightning Unit)	555	20	4.0
	Verdemont Ranch	546	65	5.8
	Girls' Treatment Center, J.H. (6 months)	586	20	1.8
SAN DIEGO	Las Colinas Girls' School	715	60	4.2
	Rancho Del Campo	445	100	3.6
SAN FRANCISCO	Hidden Valley	527	100	6.7
	Log Cabin Ranch	556	86	9.0
SAN MATEO	Glenwood Boys' Ranch	489	60	5.5
	Girls' Day Care Center	476	24	5.9
SANTA BARBARA-VENTURA	Los Prietos Boys' Camp	326	100	4.7
SANTA BARBARA	La Morada Girls' Home	598	21	9.0
SANTA CLARA	William F. James Boys' Ranch	474	80	7.8
	Santa Clara Boys' Ranch No. 2	484	80	7.2
	Muriel M. Wright Ranch for Girls	954	32	10.0

APPENDIX A (Continued)

COUNTY	INSTITUTION	AVG.MONTHLY COST PER MINOR	BED CAPACITY	AVG. LENGTH OF STAY (mos)
SONOMA	Sonoma Mobile Camp	$ 362	17	5.0
TULARE	Robert K. Meyers Boys' Ranch	246	60	4.5
VENTURA	Frank A. Colston Girls' Home (new)	674	33	9.0
YOLO-SOLANO-COLUSA	Fouts Springs Boys' Ranch	449	43	4.0
	STATEWIDE AVERAGE		54	5.6

TOTAL NUMBER OF INSTITUTIONS: 68

TOTAL CAPACITY: 3737 (Boys - 47; Girls - 18; Coed - 3)

APPENDIX A (Continued)

STATEWIDE MONTHLY COSTS PER MINOR

	All Institutions	Girls' Institutions	Boys' Institutions	Coeducational Institutions
Maximum	$ 1310	$ 1310	$ 1120	$ 810
Minimum	199	199	246	657
Average	547	649	495	746
Median	527	607	484	772

Average length of stay, all institutions	5.6 months
Average length of stay excluding length of stay under three months	6.3 months
Median Length of stay excluding length of stay under three months	6.0 months

Source: Division of Community Services, Department of Youth Authority, State of California, March 18, 1971.

CALIFORNIA CORRECTIONAL SYSTEM STUDY

JAIL TASK FORCE REPORT

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SUMMARY OF RECOMMENDATIONS

1. *The State of California should expand its major responsibility for the accumulation, dissemination, and interpretation of data reflecting the movement of the offender through each sub-unit of the criminal justice system and should provide follow-up data which would describe the outcome of critical decisions made by each component of the criminal justice system.*

2. *The State should provide interpretative services and training for the correctional decision-makers in the use of the data collected. This effort should be directed at generating greater confidence in the use of data on crime and developing the skills necessary to apply data to decisions.*

3. *Counties (or, if several counties wish to group themselves, regions) should establish Criminal Justice Commissions composed of representatives from the sub-units of the criminal justice system in the area, members of the community, and members of local governing bodies.*

4. *The State should subsidize operational costs of local correctional facilities as specified in the System Task Force Report. Basically, this plan prescribes subsidization at the following ratios:*

   60/40--"Open" institutions. The State would pay 60% of actual costs of those facilities that provide for regular access of inmates to the community, e.g. work furlough units or Youth Correctional Centers.

   40/60--"Closed" institutions which are community-based (i.e. they are within or adjacent to community they serve and provide a high degree of interaction with the community) and short-term (i.e. no inmate can be committed for more than 6 months).

   25/75--Other "closed" institutions (this would apply to most current jails).

   Any subsidization by the State, however, depends on adherence to State standards.

5. *The primary proposal of the Committee to Study Inspection of Local Detention Facilities should be immediately implemented by the Board of Corrections.*

6. *This Task Force joins with the 1969 Committee in recommending:*

   > *"That an appropriately constituted committee be established to explore and recommend changes to the present "Minimum Jail Standards", including specific attention to the following:*

  - a. *Training of line personnel.*
  - b. *Numbers of personnel.*
  - c. *Security of facilities.*
  - d. *Inclusion of all pertinent health and fire regulations.*
  - e. *Creation of more mandatory standards.*
  - f. *Provision for meaningful enforcement."*

7. *Local communities should begin immediately to develop alternatives to incarceration for females. Such alternatives should include supervised group homes and special probation supervision programs.*

   In addition, local communities should begin immediately to expand programs for incarcerated females. Among such programs which might be considered are community centered education, work furlough, and contractual agreements with other counties.

8. *Counties should establish Institutional Services Units either as a joint responsibility of the Sheriff and Probation Officer or in a manner prescribed by the local Criminal Justice Commission. The responsibilities of these Units would be essentially to screen and arrange for the release of inmates as soon as possible and to provide or coordinate efforts at rehabilitation and reintegration.*

9. *The State should establish additional taxes on alcoholic beverages which would be used solely for research into alcoholism and for the establishment of detoxification centers where needed with treatment services provided by the appropriate mental health or health departments.*

10. *Staff and resources at the community level should be allocated to the recruitment, training, and employment of community volunteers in local correctional institution programs.*

11. *Those counties expressing an interest in establishing a County Department of Corrections should be encouraged to do so through Law Enforcement Assistance Act funds and consultation from the State.*

12. *Counties should embark upon cooperative arrangements to provide for the reciprocal transfer of inmates from counties of commitment to counties of residence.*

13. *Counties should immediately begin planning and establishing Youth Correctional Centers or similar facilities and programs as an alternative to jails wherever appropriate.*

14. *To maximize improvements in staff morale, effective programming, and efficient operations, department heads should demonstrate a greater*

interest in and support for those staff who are involved in the corrections functions.

15. *Sheriffs and correctional facility administrators should establish a policy of public relations in which the public, through the appropriate news media, is allowed free access to facility programs, problems, and incidents.*

16. *A county electing to establish a "correctional officer" classification to staff corrections facilities should ensure that such personnel are paid and trained at least on a level equal to that of the "deputy sheriff" and that there are provisions for a career ladder to supervisorial and administrative positions.*

17. *Correctional administrators should make provisions for at least supervisory and administrative corrections staff to visit other correctional operations at both the State and county level for the purpose of staff and program development.*

18. *Counties should develop and expand programs aimed at minimizing confinement in jails, such as O.R. (i.e. release of persons upon their own recognizance), use of citations, sentence modification, county parole, and work furlough. They should also implement non-criminal processing of alcoholics and other types of persons who do not pose a serious threat to the community.*

"...most offenders have at some point encountered the worst correctional evil: county jails and similar local lockups....Jail conditions frequently breed hardened criminals who then go on to the prisons themselves, (another) anomaly in a pattern that stands as a monument to irrationality."

Time Magazine

CHAPTER I

INTRODUCTION

The county jail has become a focal point of concern among those interested in problems of criminal justice and corrections. Until recently, no one knew how many jails existed in the United States. In January, 1971, the Law Enforcement Assistance Administration published the results of the first national jail census; there are at present 4,037 jails in the United States.[1] The survey also found that 52% of all persons in jail had not been convicted of any crime, and of this group, four out of five were eligible for bail, but could not raise the funds. While the Jail Task Force Report will deal only with the sentenced jail population, it nevertheless recognizes the importance for jail management of having at least one-half of the prisoners unsentenced and awaiting court proceedings. As will be evident in the chapters to follow, jail resources are limited; the incarceration of large numbers of unsentenced prisoners results in consuming many of the resources which would otherwise be utilized by those persons who have been convicted of a crime and sentenced to jail by the courts.

The jail has long been considered as a breeding place for crime, and many have been outraged by the filth and squalor that exist in them. As long ago as 1923, Joseph Fishman, a jail inspector for the Federal government, described the jail as:

> "An unbelievably filthy institution in which are confined men and women serving sentences for misdemeanors and crimes, and men and women not under sentence who are simply awaiting trial. With few exceptions, having no segregation of the unconvicted from the convicted, the well from the diseased, the youngest and most impressionable from the most degraded and hardened. Usually swarming with bedbugs, roaches, lice and other vermin; has an odor of disinfectant and filth which is appalling; supports in complete idleness countless thousands of able bodied men and women, and generally affords ample time and opportunity to assure inmates a complete course in every kind of viciousness and crime. A melting-pot in which the worst elements of raw material in the criminal world are brought forth blended and turned out in absolute perfection."[2]

The conditions described by Fishman have not appreciably changed. The jail in one of the Bay Area counties in California was constructed in 1901 to house 50 inmates. In 1944, it was enlarged to house 125 persons. However, in 1968, the average daily population in this jail was 140 and on some days it swelled to 180 persons. The time is spent in idleness, and as many as 60 inmates spend each day in a room that measures 24 feet by 21 feet. There are only two showers and toilets in the room. The jail has no exercise area.[3] Sanitation conditions in this jail are sub-standard; in March, 1971, the superior court ordered the sheriff of this county to raise the health standards to a minimal level by "provision of soap, toothbrushes and toothpaste for indigent inmates, the issuance of clean blankets to prisoners at least once every 90 days and disinfectation of mattresses before distribution."[4] The court also ordered careful screening of incoming inmates for open sores, skin fungus, venereal disease and athletes foot. However, the section of the court's order which most clearly revealed conditions in this jail was in reference to staff treatment of inmates. The order required the sheriff to reinstruct his deputies that "assault or abuse, physical or verbal, of inmates is not tolerated."[5]

By way of background to the above situation, a bond issue calling for the construction of a new jail was soundly defeated in 1967.[6] In 1970, the county sheriff submitted, in his annual budget, a request for approximately 3.5 million dollars for jail and prison farm new facilities or improvements. The county administrator, who reviews all county budgets, recommended reduction of the requested 3.5 million to $17,675![7] In light of the lack of financial support, the court order should not come as any surprise.

It should not be assumed that the above situation is an isolated instance in California. In another large county, a study of its jails revealed equally squalid and sub-standard conditions. In their "Introduction", the study staff expressed their surprise over the jail by noting:

> "...our study of the jails revealed that they are a much more important subject in considering the total problem of crime than we had realized. We saw how youthful offenders and alcoholics are tossed in with the most degraded and corrupt, how they are abused and contaminated, and how they are likely to emerge not only un-rehabilitated, but perhaps more incorrigible than before. We saw how slight is the security that protects the community from criminals with a proven capacity for maximum violence."[8]

The report also noted that the physical condition of many inmates was very poor, indeed to the point where some should have been hospitalized but were not. One evening, a staff of the study team visited one of the jails, and observed that:

> "...one inmate was passing blood in his urine; another prisoner's blood pressure was recorded by a trustee-medic at 220 over 110 (160 over 90 is on the high side of normal for a middle aged man). By telephone, the doctor told the jailor he could not come over to see them and not to hospitalize either of the prisoners; he would see them the following day."[9]

It is no wonder that jails and lockups are considered to be among the State's worst correctional evils. Conditions, such as those described above, can do nothing but increase the bitterness of those who are exposed to them. The treatment that jail prisoners receive without any doubt influence their ideas of fairness and justice as well as their attitudes toward the law. Thus, the importance of jails in the correctional process needs hardly to be justified as a crucial area of study.

I. STUDY OBJECTIVES

The study objectives for the Jail Task Force were as follows:

1. To describe the county jail system in California as it presently exists, from the point of sentencing to point of release.
2. To develop the most efficient, and reasonably attainable "model" of a community correctional facility and program.
3. To prescribe and evaluate methods for transition from the present system to the "model".

II. RESEARCH METHODOLOGY

Sources of Data

The basic plan and design of the study conducted by the Jail Task Force was based on a review of the existing literature on jails and also on contributions made by jail authorities who served as consultants to the Task Force. Their ideas were built into the interview schedules and questionnaires that were used.

Two methods of data collection were utilized in obtaining staff views and opinions. Administrative officials in each of the 15 counties that were selected for the study were interviewed. Staff members who were directly involved in the delivery of services to sentenced prisoners completed an anonymous questionnaire that had been prepared specifically for them. Initial plans of the Task Force also included conducting panel interviews with cross sections of these staff. Unfortunately this proved impossible, and as a result, staff interviews were conducted as opportunities arose.

Questionnaires were also designed and administered to obtain the views and perceptions of inmates serving time in the facilities falling within the scope of the study. In addition, group interviews were conducted with inmates in order to obtain their views of what a model correctional system should look like.

Study Sample and Procedure

The prisoners incarcerated in facilities of the 15 study counties comprise approximately 75% of the State's entire jail population, and 80% of the State's entire jail and camp staff.[10] In securing the data from each county, respondents were assured that every possible precaution would be taken to protect the confidentiality of the information supplied. Therefore, names of counties are not identified.

Because of its massive population, Los Angeles County was sub-sampled so that at least 25% of its staff and 25% of its inmates would be included in the study population.

One hundred percent of the sheriffs and administrators of the 15 counties were interviewed. In addition, the same questions were asked by mailed questionnaires of all sheriffs in the remaining 43 counties and eight chiefs of police operating major city jails in the State. In addition to the 15 sheriffs in the study counties, 17 other sheriffs and 6 chiefs of police returned completed questionnaires. Of the staff questionnaires distributed, approximately 60% were completed and returned.

In order to obtain a representative number of inmates, the following sampling criteria was applied to rosters maintained by alphabet or bed location:

Available Population	Sample
1 - 50	100%
51 - 250	50%
251 - 999	25%
1000 or more	10%

Stratified sampling was used wherever appropriate, so that, if for example a county had 50% of its population in maximum security, then 50% of the sample came from maximum security. After the completion of each questionnaire, a sub-sample of the inmates was interviewed in a group using a minimally structured interview technique.

The Jail Task Force made 31 on-site visits to facilities in the 15 counties, ranging from traditional maximum and minimum security facilities to specialized units housing only work furlough program participants. The Task Force staff did not seek to make formal evaluations as those made in the Adams-Burdman jail study[11]. Rather, data were gathered on both positive and negative aspects of construction and program design. For a more detailed discussion of the methodology, the reader is referred to the Systems Task Force Report.

III. ORGANIZATION OF JAIL TASK FORCE REPORT

The material in this section of the institutions volume will be organized and presented as follows:

Chapter II includes a discussion of the history of jails and a description of the present county jail system in California. Special emphasis is placed on the functions, goals and philosophy of the county jail system.

Chapter III presents data that were collected through interviews and questionnaires. Both staff and inmate views of jails are included in the discussion. The highlights of available programs are described, and the chapter concludes by pointing to the notable lack of research in county correctional facilities.

Chapter IV presents the elements of a model correctional community, both facilities and programs. The discussion is based on the model elements that were recommended by jail administrators, staff, and inmates in the counties studied.

Chapter V, the concluding chapter in this Report, sets forth a set of specific recommendations and the justification for each.

FOOTNOTES

[1] Cited in Time Magazine, January 18, 1971, p. 48.

[2] Joseph Fulling Fishman, Crucibles of Crime, (New York: Cosmopolis Press, 1923), pp. 13-14, cited in Harry Elmer Barnes and Negley K. Teeters, New Horizons in Criminology, (New York: Prentice-Hall, Inc., 1951), p. 459.

[3] San Francisco Examiner, March 31, 1969.

[4] Oakland Tribune, March 18, 1971.

[5] Ibid.

[6] San Francisco Examiner, op. cit.

[7] Richmond Independent, June 29, 1970.

[8] San Francisco Committee on Crime, A Report on the San Francisco County Jails and City Prison, (San Francisco, 1970) p. 1.

[9] Ibid.

[10] Ventura County was substituted for Sacramento County in the jail study because local problems precluded adequate study of the latter county facility within the time available.

CHAPTER II

AN OVERVIEW OF CALIFORNIA COUNTY JAILS

A requisite to understanding the function, goals, and philosophy of the county jails as they exist today in the criminal justice system is a knowledge of their history, the codes which define their purposes, and the philosophy held by the persons who staff and operate them. This chapter will briefly trace the historical function of the jail, explore the statutes bearing on the jails' function, and summarize characteristics of the system of jails in the State.

I. A BRIEF HISTORICAL ACCOUNT OF THE JAIL[1]

In recorded history, the first jail (from Gaol, literally meaning cage) was established in 1166 for the purpose of assuring that offenders would be present for adjudication and punishment. At that time, a person was punished by a variety of methods ranging from dunking or public ridicule in the stock to partial incapacitation and death. The jail was not intended as a place for punishment.

In the mid 18th century in Western Europe, the spirit of humanitarianism led to the replacement of corporal punishment with imprisonment. Imprisonment retained society's idea of the efficacy of punitive sanctions to law breaking and greatly simplified the degree to which a person could be punished for a specific act, by simply varying the length of imprisonment to fit the crime. In the late 18th and early 19th centuries, jails had two clear functions: to assure the presence of the offender in court and to provide a means for punishing the offender.

As populations grew and the numbers of offenders requiring punishment also grew, the state established prisons or penitentiaries, thereby greatly limiting the punishment function of the local jail to the minor offender who required shorter periods of incarceration. Many of the early penitentiaries were constructed on the basis of rudimentary ideas for reforming offenders and, although these ideas have undergone drastic change, reformation or rehabilitation continues to be a more salient goal for state prisons than for county jails. In comparison to local communities, the states, with their penitentiaries, were far richer in terms of money and the resources upon which they could draw. Activities designed to reform gathered greater momentum in state institutions and rehabilitation gained greater importance. Jails were not expected to reform. If a community identified an offender who was in need of "rehabilitation", he was committed to one of the state facilities which ostensibly had the resources, the structure, and the expertise necessary to perform the necessary transformations.

It is within the last generation that rehabilitation programs have been superimposed upon the initial goals of the jail, viz. assuring a person's presence for court and punishment. Although jails have always had work programs - even the first jail had to be mopped, meals cooked, and the facility kept in good repair - it is only recently that they have been referred to as "rehabilitation programs". The forces behind this trend were gradual recognition that jail punishment was an ineffective means of preventing recidivism, and the development of humanitarianism. Even today, the rehabilitation programs found in jails are not as extensive as those found in prisons. Most, if not all, of the early jail rehabilitation programs were provided by the community's volunteer efforts rather than by the efforts of the jail administrator. In large measure, rehabilitative functions in today's jails continue to be performed by community volunteers. It is only in the large counties that the necessary finances are provided to underwrite these programs.

The function of the county jail is presently in a period of transition from the relatively simple task of "keeping" people to the more complex and difficult task of "changing" people. The "jail" philosophy is also undergoing a period of transition.

A stated goal and philosophy provide a framework for action and create a common direction. By law the sheriff is mandated to operate a jail facility and receive prisoners. Section 4015 of the Penal Code states:

> "The sheriff must receive all persons committed to jail by competent authority. The board of supervisors shall provide the sheriff with necessary food, clothing and bedding, for such prisoners, which shall be of a quality and quantity at least equal to the minimum standards and requirements prescribed by the Board of Corrections for the feeding, clothing, and care of prisoners in all county, city, and other local jails and detention facilities."

There are other laws directing the sheriff to maintain humane conditions in the jail and to assure prisoner safety. In addition, there are permissive statutes which give the counties the latitude to operate correctional type programs of their choosing, such as work and educational furlough (1208 P.C.) and vocational and academic instruction (4018.5 P.C.). In short, the sheriff is not required to do any more than house inmates. But, in the event that he has the support of the board of supervisors, he may provide correctional programs. In fact, without that support there is very little that he can do beyond "warehousing" the persons serving jail sentences.

It may be assumed that some "good" is provided for the community by housing inmates in the county jail or that some "good" is provided the inmates by permitting them to work or to attend school. However, while these functions are required or permitted in the law, nowhere does the law clearly delineate correctional objectives for jails.

II. THE FUNCTIONS OF JAILS

For simplicity, the county jail is best thought of as being two facilities: (1) a detention unit which houses prisoners who are somewhere in the process of adjudication from arrest to the finding of guilt or innocence and (2) a correctional facility which houses only those who have been found guilty and sentenced to a term in jail.

When viewed from a framework of operational efficiency, county jails process hundreds of thousands of persons each year with relative speed and efficiency. Considering the massive number of offenders processed, relatively few serious problems have arisen. In essence, the sheer "warehousing" and processing of bodies is being accomplished with a comparatively high level of efficiency. But beyond this, one might ask the purpose of such a system. County jails originally were used for detention of persons charged with crimes and awaiting sentence. They have evolved to their present range of functions rather recently.

As A Temporary Holding Facility

A few persons view the county jail as a temporary holding facility -- somewhat as a compromise between release from custody and lengthy confinement in a prison. In this instance, the expectation is not for the jail to provide a correctional service. Examples of those who view jails in this way might be judges who sentence offenders to very brief terms and probation officers or parole agents who place their clients in custody for brief stays "to get their attention".

As A Criminal Sanction

Most people seem to see the jail as the first level of a series of sanctions which utilize incarceration as a controlling device. The jail is viewed as a junior prison with less security, less harsh conditions, and a shorter time of banishment from the community. When viewed in this context, incarceration is expected to punish and to deter future criminal behavior.

As A Behavior Modifier

During this century there has been a trend to change an offender's behavior by methods other than punishment. These methods are generally referred to as reformation, rehabilitation, or treatment. "Reformation" carries the connotation of an evil disposition; "rehabilitation" implies that the individual should be brought back to, or up to, a satisfactory level; i.e., that his incapacity is due to a previous disadvantaged position; and "treatment" alludes to a service supplied because of an illness. The use of one of the three terms depends primarily on the correctional agent's frame of reference, i.e., how he evaluates inmates and the process of changing their illegal behavior.

III. THE SYSTEM OF JAILS IN CALIFORNIA

Administrative Organization

There are basically two types of administrative organization for county jail and detention facilities in California. In the first type, correctional facilities such as jails and camps fall directly under the supervision and control of the sheriff. This is by far the most common pattern, and exists in 52 counties throughout the State. In the second pattern, which is found in the remaining 6 counties, minimum security facilities for sentenced prisoners are administered by agencies other than the sheriff's office. However, in all 58 counties, maximum security facilities fall under the direct authority of the sheriff's office. While there are historical reasons as to why the sheriff administers the county jails and camps, in recent years there has been growing concern over the wisdom of placing correctional services under the direct authority of an agency whose aim is law enforcement.

In 1969, there were 203 city-operated jails, and 2 city-operated camps in the State.[2] In addition, the counties of the State operated a total of 58 main county jails, 46 adult county camps and farms, and 62 other facilities including branch jails, work furlough facilities, medical detention wards, and substation jails.[3] All of these facilities are operated by city and county law enforcement officials. Because of the tremendous variation that exists in the number and type of facility, the number of employees, and the number of persons incarcerated in them, in reality these correctional facilities cannot be said to comprise a "system".

Characteristics of Jails

County jails show tremendous variation in size, structure, number and quality of staff, average daily population, and quality of management. Until 1966, there was little in the way of reliable information on the number of jails and employees throughout the nation. During that year, the President's Commission on Law Enforcement and Administration of Justice conducted a survey of local jails and lockups detaining persons for more than 30 days.[4] Based on a probability sample of 250 counties, it was estimated that there were 3,473 city and county jails, camps, workhouses, etc., in the United States. Of the 19,000 employees estimated to be working in these facilities, only 500 (about 3%) performed rehabilitation duties. Only 24% of the structures surveyed were 10 years old or less, while 35% of them were found to be over 50 years old.

The characteristics of jails in the State of California are not significantly different from those found in the national survey. For example, in a recent survey of local detention facilities throughout the State, it was determined that 31% of the jails surveyed were more than 20 years old.[5] A number of the structures were over 50 years old, and one county jail was actually built in 1901.[6]

The number of facilities to be found in individual counties also varies greatly. In some counties there is only one detention facility--the jail. In other counties, there are as many as 28 different facilities. The former facilities process only 1 or 2 inmates a day, while the latter process as many as 3,000 a day.[7] However, because the distribution of jails is according to county boundaries rather than the distribution of population, many jails are extremely overcrowded while others remain almost totally unused. Jails that are located in sparsely populated counties of the State are very expensive to operate on a 24 hour-per-day basis. In the study cited above, fully 58% of the detention facilities surveyed were located in areas with populations less than 100,000 persons, while 25% were located in areas with 500,000 or more persons.[8]

As a result of 1957 enabling legislation (Sec. 4115.5 P.C.), 21 of the State's 58 counties have established formal inter-county agreements whereby facilities and services are shared. Eight of the counties act in a receiving capacity, holding prisoners from 13 other counties whose detention and correctional facilities are limited.[9] In light of limited services and facilities, especially in the sparsely populated counties, coupled with shrinking local financial resources, inter-county cooperation is a trend that should be encouraged.

However, the above development should not obscure the fact that there is a tremendous variation in local detention facilities throughout the State. The number and quality of staff, the number and type of facility, and the maintenance of minimal health and safety standards vary greatly from county to county and from jail to jail. A recent study of California jails has concluded that:

> "The county-by-county pattern of organization allows tremendous variation in management. It was found that even everyday operations such as menu planning, maintenance procedures, booking, and similar matters differed from county to county, with those less-well-off counties often encountering difficulties in meeting normal operational demands. The independence of counties, however, tends to isolate one county from another and limits significantly inter-county communications. Thus, aside from contiguous jurisdictions occasionally trading an idea or two, there is little exchange of essential information.[10]"

Inspection of Jails

Officials charged with the administration of local detention facilities are required by law to maintain minimal standards of health and safety in their jails. The task of determining whether minimal standards are maintained has been assigned to a wide variety of agencies and officials on the Federal, State, and local levels. For example, the Federal Bureau of Prisons, while not expressly authorized by statute to inspect local detention facilities, possesses the "implied authority" to inspect detention facilities that have engaged in contractual agreements with the Bureau.[11] On the State level, the Attorney General, Board of Corrections, Department of Public Health, Fire Marshall, Youth Authority, State Division of Industrial Safety, and other agencies have statutory authority to inspect jails. On the county level, the Grand Jury, County Health Officer, County Building Inspector, County Director of Public Works, and others have statutory authority to inspect jails. Finally, on the municipal level, the City Health Officer, Building Inspector, and Safety Committee have the authority to inspect jails.

Some of the above agencies and departments are required to inspect jails in order to determine whether minimal health and safety standards are being maintained. Others are authorized to inspect jails if they wish to do so. A recent study of the inspection of local detention facilities found that mandatory inspections were generally made, while permissive inspections were generally not made.[12] However, the study also found that required inspections were not always made by the agencies charged with the responsibility.[13]

A review of the statutory provisions authorizing the inspection of jails, lockups, and workhouses revealed that virtually none of the authorized agencies or officials possessed enforcement powers. Thus while inspection of jails is required by law, there are no provisions for bringing about needed changes that might be discovered in the course of an inspection.[14] To illustrate the impotence of jail inspection laws of California, one city jail in Central California has been receiving highly critical inspection reports since 1949. Yet this city has refused to make any of the needed changes, and has housed thousands of prisoners for the past twenty years. Detention facilities of several counties in the State have been the object of special study by both the State and private groups, and yet no observable change has been made.[15]

It is paradoxical that city or county health, safety, or fire officials possess the power to enforce minimal standards in almost all areas with the exception of jails and other local detention facilities. The Committee to Study Inspection of Local Detention Facilities has aptly observed that:

> "Citizens are generally free to enter and leave facilities such as restaurants and hospitals as they choose, and their health and safety are constantly protected by various enforceable statutes. Yet if these same citizens are incarcerated in a local detention facility and their freedoms of choice and movement taken away, their protection under these

> same laws is also substantially reduced. This inconsistency seems ethically incompatible with society's responsibilities to guard the health, safety, and welfare of all its citizens.[16]" (Emphasis added.)

Jail Staff

In the fiscal year 1968-69, the 58 sheriff's departments employed 9,959 sworn personnel.[17] Of this number, 2,460 or 25%, were assigned to jails and camps. Thus, one out of every four deputy sheriffs in the State serve in detention and correctional facilities, and are likely to serve in a strict custodial capacity. During the same fiscal year, there was a total of 3,478 non-sworn personnel employed by the 58 sheriff's departments. Of this number 1,422, or 41%, were employed in county jails and camps. The break-down of civilian personnel included 860 (25%) clerks, maintenance personnel, and cooks; 291 (8%) were non-sworn custodial officers; 223 (6%) were medical personnel; and 48 (1%) were rehabilitative personnel such as teachers, counselors, and social workers. In addition, there were 124 part-time/on-call medical personnel, and 43 part-time/on-call rehabilitative personnel.[18]

Of the 223 full-time medical personnel, 179 (79%) were employed by the Los Angeles County Sheriff's Department. Of the remaining 44 medical staff, 35 were found to be employed by the next seven largest counties in the State. Thus, in effect the remaining 50 counties had only 9 full-time medical personnel employed in its jails. It was found that of the full-time medical personnel outside of Los Angeles County, 12 were physicians, 31 were nurses and/or medical attendants, and one was a dentist. Of the 124 medical persons employed part-time or on a will-call basis, 50 were physicians, 24 were nurses, and 50 were dentists. All were employed outside of Los Angeles County.[19] Additional information on staff characteristics, obtained through the Jail Task Force survey, will be presented in Chapter III.

Jail Population

The county jail population consists of many different categories of persons. Some are detained in jail as a result of police arrest and custody. These persons have not been convicted of any crime, but are awaiting court proceedings. As seen below, this group has been steadily increasing in recent years, so that in 1969 the unsentenced prisoners constituted 48% of California's jail population.[20] Others have been convicted and are serving a jail sentence, usually no longer than a year. The jail population consists of adults as well as juveniles, males as well as females. The crimes for which they have been incarcerated are extremely varied, ranging from minor offenses such as intoxication in a public place and disturbing the peace, to serious crimes of violence such as assault, robbery, and rape. In short, persons incarcerated in county jails may have been convicted of felonies or misdemeanors, and consequently could have been sentenced by either a superior, municipal or justice court.

In some cases, once the jail sentence has been served, the individual has paid his "debt" to society and is no longer under the jurisdiction of the court. Commonly, however, jail is used as a condition of probation. That is, the convicted person is required to serve a brief term in jail before being released under the supervision of a probation officer, or on summary (court) probation. In still other cases jail is used in lieu of a fine, especially in those cases where the convicted person has been unable to pay the amount of the fine that has been set by the court. Finally, jail terms may be imposed in addition to a fine.

The Bureau of Criminal Statistics conducts a census of the population in city and county jails on a given day each year. Table I shows the jail population figures from 1960 through 1969. Several points are worth noting about these data. First, the population in city and county jails throughout the State has increased steadily since 1960. On September 29th of that year, there were 24,035 unsentenced and sentenced persons in jail. This number had increased to 27,918 on September 25, 1969, representing the largest jail population in the United States.[21] Based on current arrest rates, jail administrators project that approximately 1,000,000 persons will be processed through California's jails in 1971. A second point worth noting is that the observed increase in the jail population is due entirely to the increase in the number of persons who have not been sentenced, i.e., who have not been convicted of a crime. In 1960 there were 6,572 unsentenced persons in city and county jails, and in 1969 this number had almost doubled to 12,929. At the same time, the number of sentenced persons has exhibited a steady decline. Third, the declining sentenced jail population is due almost entirely to the dramatic decreases that have taken place in the number of sentenced persons serving time in the city jails. In 1960 there were 3,767 persons serving their sentences in city jails. By 1969 this number had declined to 518. At the same time, the number of sentenced persons in county jails has remained fairly constant throughout the years.

Table II divides the data collected in 1969 according to type of custody and sex. It can be seen that, of the 12,929 sentenced prisoners, the great majority are adult males. Juveniles, while represented, constitute a very small portion of the jail population. Females constitute approximately 10% of the adult sentenced jail population, with most of them serving their time in county jails. Additional information on jail inmate characteristics, gathered through the Task Force survey, will be presented in Chapter III.

IV. COSTS AND EFFECTIVENESS

The costs of operating and maintaining jails have been difficult to ascertain. However, a recent survey of California jails obtained budget figures which made possible the computation of per capita inmate costs.[22] This study indicated that, even without significant expenditures for re-

TABLE I

COUNTY AND CITY JAIL POPULATION REPORTED ON A SPECIFIED DAY OF YEAR, 1960-69

By Unsentenced and Sentenced Defendants

Year and day of survey	All jails			County jails			City jails			Percent of total sentenced to city jails
	Total	Unsen-tenced	Sen-tenced	Total	Unsen-tenced	Sen-tenced	Total	Unsen-tenced	Sen-tenced	
1960 Sept. 29 . .	24,035	6,572	17,463	18,829	5,133	13,696	5,206	1,439	3,767	21.6
1961 Sept. 28 . .	25,170	7,535	17,633	20,284	5,968	14,316	4,886	1,569	3,317	18.8
1962 Sept. 27 . .	24,215	6,747	17,468	20,705	5,413	15,292	3,510	1,334	2,037	11.7
1963 Sept. 26 . .	24,446	8,221	16,225	21,286	6,734	14,552	3,160	1,487	1,673	10.3
1964 Sept. 24 . .	23,586	6,484	17,102	20,896	5,639	15,527	2,690	1,115	1,575	9.2
1965 Sept. 23 . .	25,996	9,099	16,897	24,091	7,890	16,201	1,905	1,209	696	4.1
1966 Sept. 22 . .	23,638	8,504	15,134	21,794	7,460	14,334	1,844	1,044	800	5.3
1967 Sept. 21 . .	24,165	9,659	14,506	21,785	7,875	13,910	2,380	1,784	596	4.1
1968 Sept. 26 . .	27,325	11,438	15,887	24,974	9,617	15,357	2,351	1,821	530	3.3
1969 Sept. 25 . .	27,918	12,929	14,989	25,471	11,000	14,471	2,447	1,929	518	3.5

Source: Bureau of Criminal Statistics, Crime and Delinquency in California: 1969, State of California (Sacramento, 1970), p. 41.

TABLE II

STATUS OF JAIL AND CAMP INMATES

September 25, 1969
By Type of Custody and Sex

Type of Custody	Total	Adult		Juvenile	
		Male	Female	Male	Female
Total.	27,918	25,830	1,839	203	46
Sentenced.	14,989	14,274	684	29	2
Unsentenced. . . .	12,929	11,556	1,155	174	44
County jails	18,148	16,347	1,674	111	16
Sentenced.	7,148	6,447	678	23	-
Unsentenced. . . .	11,000	9,900	996	88	16
County camps	7,323	7,323	-	-	-
Sentenced.	7,323	7,323	-	-	-
Unsentenced. . . .	-	-	-	-	-
City jails	2,368	2,081	165	92	30
Sentenced.	439	425	6	6	2
Unsentenced. . . .	1,929	1,656	159	86	28
City camps	79	79	-	-	-
Sentenced.	79	79	-	-	-
Unsentenced. . . .	-	-	-	-	-

Source: Bureau of Criminal Statistics, Crime and Delinquency in California: 1969, State of California (Sacramento, 1970), p. 137.

habilitation, the daily cost is very high. Based on fiscal 1968-69 data, the study found that for county jails the average cost per inmate per day for the State was $6.44 ($4.64 for salaries and $1.80 for operations). For county camps and farms, the cost was $6.87 ($4.11 for salaries and $2.76 for operations).

From a cost/benefit analysis framework, it may be unnecessarily costly to pay approximately $6.50 a day per inmate in order to keep certain individuals isolated without effecting lasting behavioral modification. For example, it is not uncommon for a young, male, first-offender to receive a sentence of six months in the county jail as a condition of probation for a second degree burglary charge. Assuming that this person earned the full amount of good time and work time credits, he would serve approximately one hundred and thirty days at a cost to the county of $835.

For $835 the community buys the following "services" with varying levels of benefits:

Dispositional Response To Burglary	Level of Benefits
1. Isolation from community	High level of certainty.
2. Vengeance	Subjective - dependent upon the victim's evaluation.
3. Deterrence (prevention of future criminality by offender)	Undetermined - highly questionable.
4. Deterrence (prevention of others from committing similar acts)	Undetermined - may have some effect.
5. Correction	Undetermined.

With the exception of isolation, all other benefits remain highly questionable or weigh on the negative side. Some of the side effects seem to outweigh possible benefits. There is evidence that lengthy sentences may fail to deter.[23] Isolation may interfere with the offender's integration in the community to the extent that he may feel compelled to attack the community symbolically. Incarceration may hasten an offender's identity with a criminal subculture.[24]

Inmates feel there is some level of retribution in serving time - they say they are "paying for the crime committed". It seems doubtful that others share this concept, in view of the stigma that the ex-offender carries after he is released. There are no clear rites de passage back to first class citizenship - no formalized process to indicate that the "debt" has been satisfied.

Simple incarceration provides no opportunity for restitution. If restitution is to be made, it must be accomplished following release. Another probable side effect of incarceration is that of the offender's losing his job, if he was employed when arrested. As a result, restitution may be slow, difficult or even impossible.

Projections, based on the present level of operation and criminal statistics, indicate a need for immediate capital outlays running into tens of millions of dollars for new or modified facilities. At the time of this writing, one large county has committed itself to the construction of a 2,200 bed maximum security jail which will cost over $25 million. Another county is considering the construction of a similar facility for $24 million.[25] It is apparent that the return for the correctional expense is less than satisfactory. If this trend is to be halted, or even slowed, a radical restructuring of correctional services must be achieved.

Clearly, the county jail is not an isolate, either within the criminal justice system or within the community. There has been an increasing trend toward shifting the responsibility of providing correctional services to the local level. The jail is perhaps the most important local correctional facility. It processes the greatest number of offenders and therefore can play a central role. Yet in large part the jail's role in reintegrating offenders back into the community has remained undeveloped. This has been due to the short-sightedness and neglect of county boards of supervisors as well as members of local communities. Until these persons are willing to develop its central role in community corrections, the jail will continue to stand as one of man's greatest monuments to irrationality.

FOOTNOTES

[1] This section is based on a discussion of the history of jails by Paul W. Tappan, Crime, Justice, and Correction, (New York: McGraw Hill Book Company, 1960), pp. 585-589.

[2] Board of Corrections, A Study of California County Jails, State of California (Sacramento, April, 1970), p. 11.

[3] Ibid., p. 11.

[4] President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections, (Washington: U. S. Government Printing Office, 1967), pp. 162-168.

[5] Board of Corrections, Report of the Committee to Study Inspection of Local Detention Facilities, State of California (Sacramento, February, 1969), p. 10.

[6] Ibid., p. 10.

[7] Board of Corrections files, State of California (Los Angeles County Central Jail).

[8] Board of Corrections, Report of the Committee to Study Inspection of Local Detention Facilities, op. cit., p. 10.

[9] Board of Corrections, A Study of California County Jails, op. cit., pp. 29-31.

[10] Ibid., pp. 26-27.

[11] Board of Corrections, Report of the Committee to Study Inspection of Local Detention Facilities, op. cit., p. 13.

[12] Ibid., p. 73.

[13] Ibid.

[14] Ibid., pp. 73-77.

[15] Ibid., p. 76.

[16] Ibid.

[17] Board of Corrections, A Study of California County Jails, op. cit., pp. 102-112.

[18] Ibid., pp. 102-105.

[19] *Ibid.*, pp. 79-80.

[20] Bureau of Criminal Statistics, *Crime and Delinquency in California 1969*, State of California (Sacramento, 1970), p. 10.

[21] *Corrections Digest*, February 24, 1971, p. 2.

[22] Board of Corrections, *A Study of California County Jails*, *op. cit.*, p. 20.

[23] California Assembly, Committee on Criminal Procedure, *Crime and Penalties In California*, prepared by Robin Lamson, State of California (Sacramento, 1968), summary.

[24] Edwin M. Lemert, *Human Deviance, Social Problems and Social Control*, (New Jersey: Prentice-Hall Inc., 1957), pp. 40-64.

[25] Board of Corrections files, State of California; Los Angeles and Alameda Counties are in the process of constructing new county jails at a total cost of $49,000,000.

CHAPTER III

THE PRESENT JAIL SYSTEM: SURVEY FINDINGS

The nature and quality of the services provided by the county jail depend on the degree of support the jail receives by the county's board of supervisors and the community that it serves. The effectiveness of jail is also dependent on the staff, inmates, and physical structures. This chapter presents data obtained from the Jail Task Force survey that bear on these considerations. The data were obtained by interviews with the jail administrators in each of the 15 study counties, and by questionnaires that were completed by staff and inmates in these same counties. A variety of topics were covered by the survey and are discussed in this chapter. The chapter begins with a discussion of staff and inmate views regarding the goals of jails, followed by sections presenting additional data on staff and inmate characteristics. This is followed by a discussion of programs aimed at minimizing confinement in jails. The next section deals with program highlights, and is followed by a discussion of the need for financial support of jails. The chapter concludes with a discussion of program evaluation.

I. PERCEPTIONS AND EVALUATIONS OF GOALS

The major goal of county jails is the protection of society by reducing the probability that an offender will commit another crime. In fact, this is the major goal for all corrections. Secondary goals include rehabilitation and reintegration, while tertiary goals are deterrence and incapacitation.

Staff Views

Staff members employed in county jails in the 15 study counties were asked two questions: (1) "What is the main purpose of your jail for sentenced prisoners?" and (2) "What is the most important purpose of jail, as you see it?" After tabulating the questionnaire responses to these items, it was found that there was tremendous variation from county to county in the perceptions and evaluations of goals. For example, in some counties virtually none of the staff members felt that the actual main purpose of their respective jails was to protect the community. In other counties, larger percentages of staff felt that the actual main goal of their respective jails was to protect the community. However, in no case did the proportion reach even one-half. In counties where there was a sufficiently large number of respondents to permit the computation of meaningful percentages, the figures varied from 15% to 47%. Even a greater lack of agreement existed with respect to the secondary goal of rehabilitation. When the respondents were asked what they personally saw as the second most important goal of jails, the figures for counties selecting rehabilitation ranged from less than 10% to only 25%. For the tertiary goals of deterrence and incapacitation there was again a lack of agreement. In some counties, only about 5% of the staff personally felt that the third most important goal was incapacitation or deterrence while in other counties the figure rose to about 18%.

The type of facility in which the staff member was employed (maximum security vs. minimum security) made little difference. Only 22% of those employed in maximum security facilities and 21% of those employed in minimum security facilities felt that the actual main goal of their respective jails was the protection of the community. These percentages did not increase significantly when staff were asked what they personally saw the goal to be. Thirty percent of the maximum security staff and 24% of the minimum security staff members personally defined the goal of their respective jails to be the protection of the community. Lack of agreement also existed with respect to the secondary goal of rehabilitation.

When the formal position of the line staff member was taken into account, the variations in definition and evaluation of goals continued to exist. Eighteen percent of the correctional officers and 24% of the deputy sheriffs felt that the major goal was actually the protection of the community. When these two groups were asked what was the major goal as they saw it, 22% of the correctional officers and 30% of the deputies defined the most appropriate goal to be the protection of the community. It is evident that neither the correctional officers nor the deputies agree that the major goal of the jail is actually to protect the community.

Perhaps the most significant finding of all was the administrators' definitions and evaluations of goals for their respective jails. In answer to the question, "In your opinion, what should be the purpose of the county jail for sentenced prisoners?", the sheriffs' answers were as follows:

To protect society	3	To house prisoners	3
To punish	6	To deter	2
To rehabilitate	16		

And to the question, "What is the purpose of the county jail for sentenced prisoners (assuming that it differs from the preceding question)?" they answered:

To protect society	3	To house prisoners	5
To punish	12	To deter	4
To rehabilitate	5	A dumping ground for society's misfits	1

Even the top administrators in the 15 study counties who were interviewed did not view either the actual goal or the ideal goal to be the protection of the community. The administrators tend to think in terms of either punishment or treatment. Twelve of them saw the actual goal to be punishment, while on the other hand 16 of them asserted that rehabilitation is the ideal goal. There appears to be little doubt that widespread confusion exists with respect to correctional goals. Some of this confusion is reflected in the remarks made by several of the administrators:

> "The county jail should be a place where we can incarcerate and satisfy the public for the crime committed, keep the man working and his family off welfare, teach him the folly of his ways so he doesn't become a repeater, teach him a trade if he doesn't have one, get some work out of him for the county where possible."

> "The screening and placement of sentenced prisoners in an acceptable development program which should include prisoners with short sentences, to develop confidence and purpose in the inmate for the return to the community. It should also provide a security area for those inmates not amenable to rehabilitative programs."

> "To carry out the mandate of the laws and the courts by maintaining lawful custody of the sentenced offender, and, hopefully, bring about a degree of rehabilitation and sense of responsibility in the individual inmate."

In respect to the secondary goal of rehabilitation, there is considerable doubt that the county jail can be effective. Thirty-seven sheriffs and chiefs of police responded to the following question:

> "Are you satisfied that jails and correctional facilities are meeting their responsibility with regard to what is commonly referred to as 'rehabilitation'? If not, how can this responsibility be met? If so, what seems to be the most effective in bringing about 'rehabilitation'?"

Twenty-nine responded that jails and correctional facilities were not meeting rehabilitation goals. However, only 9 offered specific suggestions on how rehabilitation could be accomplished. Eight suggested establishing better educational and vocational training programs and one suggested committing those in need of "rehabilitation" to State prison. Of the 29 responding negatively, a number stated that the jail was not a place for rehabilitation:

> "County jails are unique in the corrections system in that they operate only as a way stop in the criminal justice system. The primary effort should be temporary and to direct the released inmate to proper facilities in the community."

> "There does not appear to be any agreement or factual information as to the best way of accomplishing rehabilitation."

Six responded that jails do rehabilitate and 1 of these 6 respondents pointed out that punishment, which the jails do well, is rehabilitation if it prevents an offender from returning to another crime.

In short, it may be concluded that, while correctional authorities throughout the country suggest that the major goal of corrections, including the county jail, is to protect the community by reducing the likelihood of recidivism, staff members employed in the various local jails, especially the administrators, did not share their view. In fact, several of the administrators indicated during the course of the interviews that the county jail is ill-equipped to provide correctional services. Some of their beliefs in this regard were as follows:

> "The county jail is not set up to handle any more than the minor offender. The others should be sent to the state prison where they're set up to handle vocational training and that sort of thing."

> "Jails are taking more problems than are appropriately theirs. They are catch-alls. The original purpose was to hold people for trial, then they became a punishment arm of the court but they've lost their purpose today."

> "How can you rehabilitate a man in 22 days? Five years ago the average time served was 61 days; now it's down to 22 days in this county. It's due to the leniency of the court."

Client Views

While the inmates were not asked specific questions regarding the goals of the county jail, they were asked, "In your own terms, what does rehabilitation mean to you?" Many of the answers reflected the view that rehabilitation, while desirable, did not or could not take place in the county jail. Some of the responses to the question are listed below:

> "To assist a person in helping themselves and others."

> "It means to help a person realize his own problems and what he can do to help himself."

> "Helping a person find himself. And not turning him into something he is not. In other words, not to what people think he ought to be but what he wants to be."

> "It should take place outside."

> "Frankly, nothing. One must be formally habilitated (i.e., have things 'going' for him propitiously in the 'free world') before he can be rehabilitated."

> "To live by the laws and standards set by society."

> "To have a genuine respect for the law and realize you can live comfortably within it."

> "I fully understand the word (rehabilitation) but -- don't think it applies to any of your county correctional units."

> "Pay for the crime I did."

> "Go forward and stop drinking. Get peace of mind without drinking -- new friends."

> "Helping a person find what he really wants out of life. A trade center would be more help than just sitting or doing county work which doesn't teach you anything."

> "Becoming a square, instead of a hip person. To carry a lunch pail and punch a time clock instead of selling dope. Just living a normal healthy life with fellowship, with person or persons sharing same ideas."

> "Whatever it means I haven't found it yet. I am still looking for something to help me with my problems."

> "Preparing an individual to return to society as an asset instead of a liability."

From the above quotes, it is evident that there is as much confusion over the meaning of rehabilitation among the clients, as there is regarding agency goals among jail staff. Additional information on the types of rehabilitation programs made available to jail inmates will be presented in a subsequent section of this chapter.

II. THE STAFF OF THE JAIL SYSTEM

As mentioned in Chapter II, the jails and correctional facilities of the 58 counties are staffed by 2,460 deputy sheriffs and 1,422 non-sworn personnel. Of the latter, 860 are cooks, clerks, and maintenance staff; 291 are correctional officers; 223 are medical personnel; and 48 are rehabilitation staff, composed of counselors, teachers, and social workers.[1] A total of 1,627 employees from all categories staffed the 31 facilities in the 15 study counties.

Questionnaire responses were received from 489 deputies (representing almost 20% of the State's entire deputy sheriff jail staff), 207 correctional officers (representing more than 70% of the county level correctional officers in the State), and 148 support, medical, and rehabilitation staff, (13% of the support personnel throughout the State). In terms of the 15 study counties, the responses from staff, totalling 1,627, represented a 60% sample.

Staff Characteristics

Table III presents tabulated questionnaire data regarding the age, race, education, training, and experience of the staff members employed in the jails and correctional facilities located in the 15 study counties. The data clearly suggest several generalizations. First, the deputy sheriffs are the youngest group, followed by the correctional officers, supervisors, and administrators in that order. All of the administrators are over 35 years of age. Minority groups are under-represented on the staffs when compared to the State's ethnic composition and even more so when compared to the ethnic composition of the inmate population. The jail staff is relatively inexperienced in corrections, due primarily to the fact that most sheriffs' departments use the jail as a training ground for incoming peace officers. The educational level of the staff is relatively high with 35% having completed two years of college and 31% being presently involved in education. With regard to participation in P.O.S.T. (the Commission on Peace Officers' Standards and Training) or institutes dealing with training for the corrections task, over half had not participated. Significant differences occurred in virtually every category between the deputy sheriffs and the correctional officers. The correctional officer is typically older than the deputy, but has more experience in corrections. His formal education is less than that of the deputy and fewer are enrolled in education courses. A comparison of these two classifications is made in Table IV. A discussion of the significant differences between these two classifications will appear later in this section where additional differences have been covered.

Staff Roles

The deputy sheriff. Typically, the deputy assigned to the county jail has been employed for only a few months. He does not view himself as a correctional officer, nor does he view corrections as a long-term career. He tends to resign himself to the fact that the jail assignment is a "necessary evil" before he can be re-assigned to patrol or to some other more "glamorous" role. In contrast to their administrators, the deputy sheriffs frequently expressed disagreement with the idea that "corrections is a part of law enforcement". They preferred to transfer corrections to another agency or at least to the correctional officers within the sheriff's department.

The correctional officer. This job classification was established originally to save money by staffing jails with personnel paid less than the law enforcement officer. The correctional officer (or correction officer) is paid approximately $100 per month less than the deputy. In all counties presently using this classification, it is a "dead-end" position. There are no promotions because supervisors are persons drawn from the ranks of sergeants and lieutenants who are deputy sheriffs.

TABLE III

CHARACTERISTICS OF COUNTY JAIL STAFF IN THE 15 STUDY COUNTIES

(Percentage Distribution of Employees[1])

Characteristic	Deputy (N=492)	Correctional Officer (N=208)	Supervisor (N=67)	Administrator (N-29)
Age				
Under 25	31	15	0	0
25 - 35	48	27	36	0
36 - 50	18	40	57	86
Over 50	3	18	7	14
Race				
Caucasian	87	82	94	100
Negro	10	14	2	0
Mexican-American	4	3	5	0
Oriental	2	1	0	0
American-Indian	4	0	0	0
Education Completed				
High School Diploma	58	67	43	14
2 Year College Degree	37	29	42	52
4 Year College Degree	4	3	12	35
Graduate Study	1	1	3	0
College Major[2]				
Police Science	39	30	51	61
Public Administration	9	17	13	18
Education	9	9	9	0
Criminology	5	3	11	0
Psychology/Sociology	10	13	0	7

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[1] Columns may not total 100% because of rounding.

[2] Only the most frequently stated college majors are listed.

TABLE III (Continued)

CHARACTERISTICS OF COUNTY JAIL STAFF IN THE 15 STUDY COUNTIES

(Percentage Distribution of Employees)

Characteristic	Deputy (N=492)	Correctional Officer (N=208)	Supervisor (N=67)	Administrator (N=29)
Are you presently in school?				
Yes	37	24	40	41
No	63	76	60	59
If yes, are you receiving any assistance?				
Agency	17	8	11	42
LEEP	4	4	15	0
Combination	1	0	0	8
No assistance	61	61	65	50
Other	18	27	8	0
Have you completed any specialized training (e.g. P.O.S.T.)?				
Yes	50	19	77	93
No	50	81	23	7
Experience in jails				
6 Months or less	31	3	2	4
7 Months to 2 Years	35	31	24	10
3-5 Years	17	31	33	31
6-10 Years	8	26	28	28
Over 10 Years	9	9	13	28

TABLE IV

COMPARISON OF DEPUTY SHERIFF AND CORRECTIONAL OFFICER IN THE 15 STUDY COUNTIES

DEPUTY SHERIFF		CORRECTIONAL OFFICER
31	Average age	38
42%	College Education	33%
37%	Attending College	24%
31%	6 Months or Less Experience in Jails	3%
Open	Promotional Opportunities*	None
2,460	Approximate Number* In County Corrections	291
$100 More Per Month	Salaries Approximately	$100 Less Per Month
31%	Plan A Career In Corrections	57%

*Statewide

There is no clear indication as to the future of this classification. Some counties are considering expanded use of the correctional officer, and some are about to discontinue the classification. At least one county has terminated all hiring of correctional officers. One of the largest counties in the study, however, is planning to establish supervisory levels in the series to provide a career ladder. In the opinion of the Jail Task Force, if the classification of correctional officer is retained, then salary scales and promotional opportunities should be made available to this group.

The female deputy. In most counties, the female deputy is a distinct minority, frequently working in more austere surroundings than her male counterpart. In some counties, she is paid less than males for comparable duties. The Task Force found that of 940 persons responding to the questionnaire, 212 (23%) were females, and 728 (77%) were males. Of the 212 females, 155 (32%) were employed as deputy sheriffs; only 2 (1%) were employed as correctional officers; 19 (28%) were supervisors; and 7 (24%) were administrative staff. In general, the females were found to be younger, and to have less employment experience in local jails and correctional facilities. However, they had about the same amount of education as their male counterparts. Interestingly, the females were more likely, than were the males, to recommend corrections as a career to a young person (64% vs. 44%). They were also more likely to be planning a career in corrections (45% vs. 39%), although a significantly greater proportion of them were also uncertain about a future in corrections (39% vs. 26%).

Factors in Job Satisfaction

A section of the Task Force survey dealt with factors related to the job satisfaction of the various categories of staff members employed in the jails of the 15 study counties. Table V presents the results of this section of the questionnaire. When asked if they were planning a career in corrections, none of the staff responded overwhelmingly in the affirmative. The most positive group was the correctional officers. Fifty-six percent asserted that they were planning to make a career in corrections. But this certainly is no clear-cut majority. In fact, 69% of the deputies, 61% of the supervisors, and 55% of the administrators either stated that they were not planning to make a career in corrections or they were not sure. Even though advancement opportunities might be made more readily available, the staff continued to express reluctance about a career in corrections. The clearest majority was seen in the lowest status group--the correctional officers. Seventy-eight percent of them asserted that corrections would be a career if advancement opportunities were made available; even though only 19% expressed satisfaction with the promotion system as it is currently structured in the county jails.

When asked if officers should be allowed to be transferred to other correctional agencies at the same rank and salary, and without an examination, it is clear that the lower echelon staff would favor such a policy, while the supervisors and administrators were considerably more conservative on

TABLE V

JOB SATISFACTION AMONG COUNTY JAIL STAFF IN THE 15 STUDY COUNTIES
(Percentage distribution)

Characteristic	Deputy (N=492)	Correctional Officer (N=208)	Supervisor (N=67)	Administrator (N=29)
Plan to make a career in corrections?				
Yes	31	56	39	45
No	40	23	34	24
Not Sure	29	21	27	31
If advancement opportunities were available, would you stay in corrections?				
Yes	44	78	51	63
No	56	22	49	37
Satisfied with promotion system in your agency?				
Yes	72	19	67	65
No	28	81	33	35
Should officers be allowed to transfer without exams?				
Yes	60	66	38	45
No	40	34	62	55
Should there be a series of ranks for line workers that are parallel to supervisors?				
Yes	61	76	57	45
No	16	11	33	41
Not sure	23	13	10	14
Is your work load manageable?				
Completely	36	58	27	38
More or less	60	40	72	62
Unmanageable	4	2	1	--
Is your salary:				
Good	62	52	54	87
Fair	34	44	39	10
Poor	4	4	7	3
Generally, how are your working conditions?				
Good	55	66	63	83
Fair	36	29	31	17
Poor	9	4	6	--

the matter. The same trend is apparent when the staff was asked whether they would favor the creation of a new series of ranks, comparable to those that now exist among supervisors, for line personnel. Sixty-one percent of the deputies and 76% of the correctional officers answered in the affirmative, while 43% of the supervisors and 55% of the administrators stated that they would be opposed to such a change, or were not sure of the wisdom of the change. Thus, on matters of transferring and promotion, the upper echelon jail staff were clearly more conservative.

Finally Table V shows that, when they were asked about the adequacy of their salaries and working conditions, the administrative staff were almost in complete accord among themselves. Eighty-six percent of the administrators felt that their salaries were good, and 83% felt that their working conditions were good. However, the data clearly suggest that the other categories of staff were not nearly as satisfied with either their salaries or their working conditions.

The overall trend in Table V is clear. None of the jail staff, from administrators to correctional officers, expressed unequivocal enthusiasm for the field of corrections. The only instances where clear majorities existed were in regards to salary and working conditions. But the majority was not among those staff who come into daily contact with clients, but rather from the sheriff's and jail managers who are somewhat removed from the day-to-day operations of their correctional facilities. The situation is very likely to be exacerbated by the fact that both supervisors and administrators were not entirely in favor of providing additional promotional opportunities by restructuring ranks and salaries for staff in subordinate positions. It is clear that the situation for the correctional officer employed in the county jail is considerably less than adequate. As stated earlier, his position is a "dead-end" and he knows it.

Staff Evaluation of Quality of Management

The hallmark of any effective organization is the existence of clear and accurate communication. If the communication of policies is incomplete or inaccurate, staff performance operates at a less-than-optimal level. A number of items in the Jail Task Force staff questionnaire dealt with the communication, decision-making, and general "climate" of the agency as perceived by the staff. Responses to these items were tabulated, and the results are presented in Table VI.

The first thing to note is that none of the different categories of staff overwhelmingly felt that the philosophy and policies of their respective agencies were clearly stated. This finding is consistent with the general lack of consensus among staff in defining agency goals that was found in the first section of this chapter. While about two-thirds of the supervisors and administrators felt that philosophy and policies were clearly stated, they are by no means in complete agreement on this item. In addition, only 42% of the correctional officers, and 51% of the deputy sheriffs asserted that their agency philosophy and policies were clear. Responses

TABLE VI

STAFF EVALUATION OF JAIL MANAGEMENT IN THE 15 STUDY COUNTIES

(Percentage distribution)

Characteristic	Deputy (N=492)	Correctional Officer (N=208)	Supervisor (N=67)	Administrator (N=29)
How clear are the philosophy and policies of your agency?				
Clear	51	42	65	68
Fair	36	38	26	21
Not clear	14	13	9	11
How good is lateral communication in your department?				
Good	66	56	58	52
Fair	25	27	32	41
Bad	8	17	10	7
How good is downward communication in your department?				
Good	51	44	55	51
Fair	29	34	27	31
Bad	20	22	18	17
How good is upward communication in your department?				
Good	39	36	46	41
Fair	35	42	40	38
Bad	26	22	13	21

TABLE VI (Continued)

STAFF EVALUATION OF JAIL MANAGEMENT IN THE 15 STUDY COUNTIES

(Percentage distribution)

Characteristic	Deputy	Correctional Officer	Supervisor	Administrator
Do you have a voice in decision-making in your agency?				
Strong voice	7	6	29	57
Moderate voice	28	21	32	25
No voice	65	73	39	18
How progressive and "risk-taking" is your agency?				
Progressive	26	26	39	43
Fairly progressive	39	38	39	39
Conservative	45	46	22	12
Does your agency encourage flexibility and creativity?				
Encourages	31	29	34	50
Encourages moderately	43	38	46	36
Discourages	26	33	20	14
How high is the morale in your agency?				
High	40	32	42	46
Fair	35	39	48	38
Low	25	29	10	17

to this item strongly suggest that the various county jails are not doing as good a job as they might in the realm of specifying agency philosophy, policies, and goals.

Additional strength for this view is gained when specific items, dealing with the quality of inter-rank and intra-rank communication, were answered by the staff. No matter what the level of staff rank, there was virtually no clear agreement that the quality of communication was "good". For example, the highest percentage of staff evaluating the quality of "downward" communication, as "good" was found among the supervisors (55%); the highest percentage claiming that "upward" communication was "good" was found among the supervisors (46%); and the highest percentage claiming that "lateral" communication was "good" was found among the deputy sheriffs (66%). But these percentages cannot be considered to reflect overwhelming agreement among jail staff that the quality of communication in their respective jails is good.

In general, the data do suggest that the staff evaluated "lateral" communication as being the "best", followed by "downward" communication. "Upward" communication was evaluated as being "poor". The data also suggest that the lower echelon personnel generally evaluated the quality of communication, especially inter-rank communication, as being "poorer" than did the supervisory and administrative staff. For example, 22% of the correctional officers, compared to 17% of the administrators, asserted that the quality of "downward" communication was "bad". However, while the data suggest that staff in the lower ranks were less happy with the quality of communication than their superiors, the overall conclusion should not be obscured: the quality of communication, either inter-rank or intra-rank, was not evaluated very high.

The above conclusion takes on added significance when it is seen that only 7% of the deputies, 6% of the correctional officers, and 29% of the supervisors asserted that they had a strong voice in decision-making. In fact, only 57% of the administrators--the sheriffs and jail managers--felt that they had a strong voice in decision-making. Administrators must contend with their respective boards of supervisors and county managers if they wish to establish and implement new programs and policies. The data strongly suggest that the boards of supervisors and county managers do not encourage their various administrative jail officials to have sufficient latitude and decision-making authority. Additional evidence for this conclusion is seen in the administrators' responses to questions dealing with "how progressive and risk-taking is your agency?", and "does your agency encourage flexibility and creativity?" Only 43% of the jail administrators asserted that their respective agencies were "progressive" and "risk-taking", and only 50% claimed that their agencies encouraged flexibility and creativity. Thus, the data leave the strong overall impression that the "hands of the administrators are tied" by their superiors--the county boards of supervisors and county managers, and ultimately by the local communities. The restrictive and generally conservative "climate" found in county jails spills down to the correctional officers where only 26% of this group saw their respective agencies as being "progressive", and only 29% felt that "flexibility and creativity" were encouraged.

The net result of being employed in agencies where philosophy and policies are not clearly stated, where the quality of communication is poor, where there is little or no voice in decision-making, and where a generally conservative attitude prevails, is to have a staff that is demoralized. Table VI shows that this is indeed the case. No matter what the rank of the staff member, only a minority of each group claimed the morale in its agency to be high.

Thus, the Jail Task Force must conclude that staff members employed in county jails, from administrators to correctional officers, evaluated the quality of management of the jails and correctional facilities in the 15 counties surveyed as poor and in need of definite improvement. It is unlikely that the quality of management of the jails in the counties not surveyed is significantly different.

The Jail and the Community

It is the position of the Jail Task Force, and indeed all of the corrections Task Forces, that society is normally best protected by rehabilitating and reintegrating the sentenced offender back into the community. Correctional facilities must immediately begin processes of reintegrating as soon as possible after the person is sentenced. As stated in Chapter III of the Juvenile Institution Task Force Report, the offender must, in a sense, never leave the community. The community must permeate the functioning of the county jail to which the convicted person has been sentenced. Basic to processes of reintegration are community involvement and support. Without community support, any correctional program or objective is ultimately destined to fail. If processes of reintegration fail, then the jail must examine its relationships with the community and do whatever it can to strengthen them.

The Task Force survey obtained information on staff attitudes toward community involvement, as well as staff perception of community support of corrections. The appropriate data are presented in Table VII.

Use of para-professionals. The use of indigenous workers, including ex-offenders, in providing correctional services has received widespread endorsement not only by groups such as the President's Commission on Law Enforcement and Administration of Justice, but also by State and local officials in California. As pointed out in the Juvenile Institution Task Force Report, para-professionals enrich correctional services, not as replacements but as supplements for the regular line workers. Para-professionals, especially "New Careerists", have been utilized by the correctional field services more than by the institutional facilities. However, it should not be concluded that the "New Careerist" cannot perform meaningful correctional services to offenders who have been sentenced to institutions, including county jails. While the Task Force did not obtain specific information on whether or not the agencies surveyed actually employed any

TABLE VII

COUNTY JAIL STAFF PERCEPTIONS OF THE COMMUNITY IN THE 15 STUDY COUNTIES

(Percentage distribution)

Characteristic	Deputy	Correctional Officer	Supervisor	Administrator
Could you use aides (New Careerists, etc.) to help you in your normal work?				
Yes	44	31	40	31
No	56	69	60	69
Could you use volunteers to help you in your normal work?				
Yes	32	13	37	43
No	68	87	63	57
Assuming arrangements could be made, is there a community agency or group that could be helpful to you?				
Yes	38	28	41	64
No	62	71	58	36
What use does your agency make of community resources?				
Good use	29	31	27	31
Fair use	60	53	61	65
Poor use	11	16	11	3
How well do you think the general public understands corrections?				
Well	2	2	--	--
Fair	13	16	24	10
Doesn't	85	82	76	90
How strongly do you think the general public supports corrections?				
Strongly	7	7	3	--
Moderately	30	29	30	21
Doesn't	63	64	67	79

para-professionals, especially ex-offenders, employed in jails throughout the counties of California. However, the Task Force staff did ask the following question: "Could you use aides who do not currently meet the qualifications of your line officers (e.g., "New Careerists" or other sub-professionals) to help you in your normal work?" The results, which are shown in Table VII, are clear. None of the staff, irrespective of rank, was very enthusiastic over the idea of employing para-professionals. This is in sharp contrast to the staff of local and State juvenile institutions where approximately two-thirds of those queried endorsed the idea of employing para-professionals. Thus, in spite of the fact that para-professionals have been utilized with a fair degree of success elsewhere in the correctional spectrum, staff members in the county jails are quite clearly opposed to the idea.

The use of volunteers and other community resources. A significant link between the community and the county jail, as well as for other correctional facilities, is the volunteer worker providing services to the offender.[2] At times the volunteer can play a crucial role in reintegrating the offender back into the community. Yet, the use of volunteers has been slow in gaining acceptance by those employed in various correctional agencies. Their reluctance generally has been based on the assumption that "outsiders really do not know anything about corrections". However, in recent years the use of volunteers has increased, so that at the present time, many correctional agencies have volunteer programs.

When the county jail staff was asked whether they could use volunteers to help them in their normal work, the results are again clear. Only 13% of the correctional officers, 32% of the deputies, 37% of the supervisors, and 43% of the administrators favored the use of volunteers in their respective jails.

Correlatively, when asked if there was a community agency or group that could be helpful, assuming that financial arrangements could be worked out, the response was again substantially the same. Only a few of the correctional officers (28%), deputies (38%), and supervisors (41%) felt that there was an agency or group in their respective communities that could be of help to them. Sixty-four percent of the administrators felt that such an agency or group could be useful, which, perhaps, indicates that these top officials have a greater knowledge of the types of resources available in the community.

Yet it is important to note that, at the same time, county jail staff felt that their agencies were not making good use of the various resources that were available in their respective communities. Thus, a significant paradox emerges: on the one hand, staff in county jails feel that their respective facilities are not making full use of community resource; yet on the other hand, they do not believe that para-professionals, volunteers, or community agencies would be particularly helpful in their work. This paradox takes on added significance by inspecting the staffs' perceptions of the public's understanding and support of corrections.

Perception of the public's view of corrections. Table VII also presents information on how staff views the public's position vis-a-vis corrections. The findings are extremely revealing. When asked whether the public knows anything about corrections or is willing to support it, almost none of the county jail staff responded affirmatively. The data show unequivocally that the staff viewed the public as lacking in both understanding and support. It is thus clear that the staff of county jails have adopted a somewhat exclusionary attitude toward the use of community resources such as para-professionals, volunteers, and various agencies. At the same time, they believe that the public lacks any real understanding of corrections and is unwilling to support it. The ironic fact is that the public is obviously not going to understand or support corrections as long as it is excluded from involvement.

Major Concerns of the Jail Staff

The staff role. A prime concern had to do with the role of the jail staff in corrections. The staff often expressed a sense of futility and asked, "Does anything really correct?" Some indicated that they could do a better job if inmates were sentenced to longer terms. Others observed that jailing would never really correct as long as it isolated the inmate from his real problems on the streets. Involved in this concern over their role was the definite impression that law enforcement, the courts, and corrections were working toward opposing goals and that they (the jail staff) were caught in the middle.

Inadequate training. Another concern expressed was the inadequate or virtually non-existent training for the corrections task. An extreme example of inadequate training in detention and corrections was provided during a visit to one minimum security facility in which two officers were in charge on the four-to-midnight shift. One officer had four months of experience and had trained the second officer, who had one month's experience. Both officers indicated that their training was virtually non-existent and that questions posed by inmates humiliated them because they knew none of the answers.

Overcrowded facilities. A third concern expressed by the staff was overcrowded conditions that existed in their respective jails. In one county the cell blocks were so overcrowded that at times in the past some staff members were afraid to venture in them to provide supervision. Much of the overcrowded conditions, as stated elsewhere in this Report, has been due to the vast numbers of unsentenced persons incarcerated while awaiting trial. It should also be pointed out that fully 43% of the sentenced inmates in the 15 study counties were serving a jail term as a condition of probation. Thus, while the probation subsidy program has generally had the effect of diverting persons from the State's prisons, the courts are now sentencing these persons to periods of confinement in the county jails prior to their period of probation in the "streets".

Not suited for corrections. A fourth concern expressed by the staff was the fact that they had obtained employment in the sheriff's office and trained to become peace officers, not jail guards. Most of these persons were very anxious to be assigned to patrol or other duties directly related to law enforcement.

Troublesome offenders. Also of concern was the observation that increasing numbers of troublesome offenders were being committed to county jails rather than to the State's prison facilities (e.g. aggressive offenders, and those with mental disorders).

Salaries. While the subject of salaries was not a particular concern in many counties, it nevertheless is significant to note that in one small county the chief jailer had to "moonlight" as a truck driver. The deputies in this county also qualified for food stamps.

Jail facilities. Although it is apparent that there has been a general upgrading of jails in the State since the Adams-Burdman study of 1957, there remain a number of antiquated, overcrowded, and unsafe maximum security jails in both large and small counties. However, the Jail Task Force recommends against construction of maximum security central jails until an assessment has been made of all available jail space within a county (and within a reasonable distance thereof), and until a county is certain that the people in jail actually require confinement for the protection of the community. The questions a county should ask itself are: How many existing jail beds are available and is optimum use being made of them? Are alcoholics being diverted to a more appropriate setting? Are any prisoners who do not pose a threat to the community being held pending trial, simply because they are unable to raise bail? Could adequate facilities and services be better made available on a regional basis, or by contract with adjoining counties?

III. THE INMATE IN THE JAIL SYSTEM

A stratified sample of inmates were administered a questionnaire and a sampling of those completing the questionnaire were later interviewed in group sessions.

One thousand six hundred and sixty-four (1,664) inmates responded to the questionnaire. This sample constiutes 27% of the sentenced inmates in the 15 study counties, and represents 11% of the sentenced inmates in county jails throughout the State. Approximately 400 inmates were interviewed in group sessions.

Summary of Inmate Characteristics

Salient inmate characteristics are summarized in Table VIII. The following generalizations can be made about the 15 study counties.

Sentenced inmates in county facilities were young (43% are 25 or younger). Over 50% were Black, Mexican-American, or American-Indian. The racial and ethnic distribution takes on added significance when it is recalled that only 13% of the staff were drawn from these same groups. Eighteen percent did not consider the county in which they had been confined to be their county of residence, and almost half of the inmates, when released, claimed they would be living with family members. With regard to sex differences, females were younger than males, all were housed in maximum security facilities, and a greater percentage of females were drawn from ethnic minority groups. The average inmate had spent three to four months in custody, typically serving a sentence of less than 90 days. One out of four was serving his first term in jail. Twenty-two out of every 100 inmates had served at least one term in State prison.

The survey also found that females typically served shorter sentences and they were more likely, than the males, to be serving their first jail sentence.

Jail Activities and Plans for the Future

Efforts were made by the Task Force to determine the inmates' perception of jail programs. The Task Force found that 23% of the inmates were idle (this figure climbed to 34% for inmates housed in maximum security facilities). One of the reasons for maximum security housing is the number of detainers pending from other agencies. Fifteen percent of the sample had such "holds"; and of these inmates, 41% had detainers for misdemeanors.

Eighty-one percent of the inmates stated they were not participating in a rehabilitation program (again, this figure rose to 87% for those housed in maximum security units). Only 3 out of 10 inmates could identify an activity which had been particularly helpful while incarcerated. Very few of these activities were sponsored by the jail administration itself. Seventy-five percent felt that they could be helped through some sort of counseling program, especially individual and group counseling. In respect to prior employment and plans for employment on release, 54% indicated that they were working when charged with the crime for which they were confined. Of these, only 40% claimed they could return to their previous employment, while 60% stated that they could not return or did not know.

Forty-three percent would be leaving jail under probation supervision; 53% would be leaving without any post-institution assistance; and 4% stated that they did not know whether jail was a condition of probation. Of those who would be on probation when released from the county jail, 61% had not seen the probation officer since they had started their sentence.

TABLE VIII

CHARACTERISTICS OF SENTENCED INMATES IN THE 15 STUDY COUNTIES
(Percentage distribution)

Characteristics	Total (N=1,664)	Male (N=1,477)	Female (N=187)
Age			
18 to 20	14	13	15
21 to 25	30	29	37
26 to 30	15	15	19
31 to 50	31	32	27
Over 50	10	11	3
Race			
Caucasian	49	49	47
Negro	22	21	31
Mexican American	20	22	11
Oriental	1	1	0
American Indian	6	6	7
Other	3	2	5
Prior Jail Term			
None	25	23	40
One	18	18	17
Two or three	24	24	24
Four or more	33	35	19
Length of Sentence			
5 days or less	1	1	2
6 to 30 days	12	11	15
31 to 60 days	11	11	15
61 to 90 days	15	15	16
4 to 6 months	29	29	32
Over 6 months	32	33	20

TABLE VIII (Continued)

CHARACTERISTICS OF SENTENCED INMATES IN THE 15 STUDY COUNTIES
(Percentage distribution)

Characteristics	Total	Male	Female
With whom will you be living when released?			
Close Family (Parents, Spouse, etc.)	48	48	49
Friends	7	6	11
Alone	22	23	16
Don't Know	23	23	23
Is this County your normal place of residence?			
Yes	82	83	79
No	18	17	21
Were you employed when arrested?			
Yes	54	56	38
No	46	44	62
Are you serving this jail term as a condition of probation?			
Yes	43	43	42
No	53	52	54
Don't Know	4	4	3

Seventy-eight percent indicated that they had not been receiving services from any agency or group such as Mental Health, Social Welfare, Human Resources Development Agency, or the Salvation Army. Of those indicating that they had been receiving services, most were females. The agency most frequently mentioned as a source of aid was the county welfare department.

When asked to specify how they would like their lives to be in the future, virtually all of the respondents described a life built around a traditional middle class value system which included a home, job, and family. Reflecting a somewhat optimistic view, 6 out of 10 inmates felt that they would achieve this, while 4 were not sure or felt that they would not see their "dreams" come about.

Significant Differences

From a racial viewpoint, jail populations generally have a considerably higher proportion of minorities than the general county population. In two of the 15 study counties, Blacks represented a majority of the jail population. In two other counties Mexican-Americans represented a majority. American Indians represented a majority in a fifth county. The remaining 10 counties had a Caucasian majority in their jails.

Maximum security facilities held a slightly younger population than the minimum security facilities. This is due to the large numbers of "revolving door" alcoholics, who typically are over 35 years of age, and are usually assigned to minimum security farms and road camps. Black inmates comprised 25% of the population of maximum units and only 19% of the minimum security population.

Twenty-six percent of maximum security inmates had "holds" on them or were wanted by other law enforcement agencies. However, 41% of those with such detainers were wanted for misdemeanors. This compared with 6% of inmates in minimum security facilities having "holds", probably most or all of which were for misdemeanors.

IV. MINIMIZING CONFINEMENT IN THE COUNTY JAIL

In recent years the trend toward establishing alternatives to incarceration has become increasingly apparent. This trend has been spurred by the belief among experts that the offender must remain in the community if his ties with it are to be established and strengthened. As already stated in the Juvenile Institution Task Force Report, correctional institutions, including the county jail, are unnatural, dehumanizing "dumping grounds" where persons are incarcerated on an involuntary basis. Other than postponing crime, institutions have done little to "cure" the crime problem. Relatively unsophisticated offenders, incarcerated in jail settings, have emerged as bitter persons who have learned more effective crime-committing techniques. For these and other reasons, efforts are being made either to completely divert offenders from the county jail, or to minimize their contact with it. This section deals with a number of attempts currently being made in California in this regard.

Release On Own Recognizance

Although this Task Force was charged with studying only the sentenced jail prisoner, and making recommendations which are related to the effectiveness of correctional efforts aimed at him, O.R. (release on own recognizance) and citation are discussed in this Report because both are programs that can effectively divert persons from the county jail. This is especially crucial in light of the fact that the increasing jail population has been due almost entirely to the increase in the number of unsentenced prisoners. Given the extremely limited resources that are available in county jails, the Jail Task Force believes that they should be provided primarily to prisoners who have been sentenced. If greater numbers of unsentenced persons were O.R.'d or given citations, the serious strain on facilities and resources would be alleviated.

The idea of O.R. projects received its major impetus in 1961 with the establishment of the Manhattan Bail Project in New York City.[3] In this project law students from New York University interviewed persons who had been arrested and gathered information on their residential stability, employment history, family contacts, and prior criminal record. If the person in custody scored a sufficient number of points, based on the data collected, the staff of the project recommended to the court that the person be granted a pre-trial release without having to post a cash bond. With the Manhattan Bail Project, the Vera Foundation, now the Vera Institute of Justice, clearly demonstrated the feasibility of releasing a person from custody simply on his word that he would appear in court on his scheduled date. O.R. projects have rapidly spread throughout most jurisdictions in the United States.

All of the 15 counties surveyed by the Jail Task Force had established O.R. programs, although some counties were using it more extensively than others. One of the major counties in the Bay Area recently published a report on its O.R. project, and the results showed that it is possible, with appropriate screening procedures, to release persons on their own recognizance and that they will appear in court on the scheduled date.[4] Between August, 1964, and October, 1970, a total of 11,876 persons were O.R.'d in this county. Of this number, only 372 or 3% failed to appear in court.[5] In 1969, the non-appearance rate for felony defendants was even lower with a rate of only 2%. The significance of these figures is heightened when they are compared with the non-appearance rate of persons who posted bail during 1969. For this group the non-appearance rate was higher (5%) than for the group that had been O.R.'d.[6]

Releasing a person on his own recognizance not only minimizes the negative contacts and influences of the county jail, but it also results in substantial savings. In the study cited above, during 1969 there was an average of 429 defendants out on O.R. release. The sheriff's office determined that on the average it cost $4.29 a day to keep a prisoner in the county jail. Even with this very conservative figure, the O.R. project resulted in a savings of over $330,000 for the year.[7]

O.R. projects have been relatively inexpensive to operate because they have often used VISTA volunteers as well as community volunteers to interview O.R. candidates. In light of the success of O.R. programs, their use should be greatly expanded by all of the counties in the State.

Organizationally, some O.R. programs have had their own directors and have been separate entities. In other cases, O.R. programs have been a part of the probation department. For example, one of the counties in the study group had assigned a probation officer to the jail to review cases for O.R. Whatever the organizational pattern of O.R. programs, it is very clear that their use should be greatly expanded by all of the counties in the State.

Misdemeanor Citations

Prior to 1967, if a person was arrested for an alleged misdemeanor, he was booked into jail, and if he was unable to post bail, he awaited court disposition in a cell. In 1967, the Legislature authorized counties to issue citations in the case of those suspected of committing a misdemeanor. However, the Jail Task Force found that only a few counties in the study group were using citations as a means of diverting misdemeanants from jail. It was also not possible to determine how extensively law enforcement officers were issuing citations in those counties that had established the policy.

In one of the study counties, arrests and bookings had grown to such proportions in 1968 and 1969 that the jail was dangerously overcrowded, and, in fact, there had been a number of sexual assaults upon prisoners by other prisoners. The county had already approved the expansion of the jail, but the sheriff could not wait until its construction to alleviate the problem. Therefore, the administration decided that a concerted effort would be made to cite all possible misdemeanants and to encourage the courts to make better use of O.R. programs.

The sheriff requested that all county law enforcement agencies use misdemeanor citations as frequently as possible. However, because of resistence to change, citations were being issued only infrequently. At the same time that law enforcement officers were asked to use citations, the county jail instituted the same program. In discussing the problems involved, an administrator asserted that during the initial period his staff found very few inmates eligible for release by citation. However, upon review of the jail bookings each morning, it was apparent that there were far more eligible persons in jail than his staff had identified. The administrator came to the conclusion that his staff was extremely hesitant to cite a prisoner who had already been booked, because it feared the consequences that might result should the released person commit another crime. A training program was established which aimed at dispelling such fears. This was accomplished, in part, by illustrating that with less than $25 to pay bail fees, any one of those persons held would be released.

Gradually, the number of citations issued increased, but a conservative attitude continued to prevail among the staff regarding their use. The administrator then instituted a new policy. Instead of the staff justifying the release of a person on the citation, they were now asked to justify keeping him. For every prisoner eligible, but not released by citation, the administrator expected the staff to specify the justification. At the time of the Task Force survey, the number of citations issued in this county was increasing and fewer persons accused of a misdemeanor were being held in jail. According to the clerk of this county's municipal court, cited misdemeanants were appearing at their scheduled court hearing at a satisfactory rate. Unfortunately, the number of persons released from jail by citation was not available, but there is little doubt that the program is a success. At the same time, there has been substantial savings in tax dollars, and the program has relieved the overcrowded condition that had previously existed in the jail.

Diverting the Alcoholic from the County Jail

Almost one-third of all arrests made in the United States are for drunkenness in public places.[8] It is not unusual to find the person taken into custody for drunkenness to have been arrested for the same offense 20, 30, or 50 times before. The situation in the State of California is not very different from those elsewhere in the nation. For example, in one of the Bay Area counties, the police made 59,104 arrests in 1969. Of this number, 16,112 of the arrests (27%) were for drunkenness.[9] The sheriff in this county reported that 41% of the inmates incarcerated in the jail were there as a result of drunk arrests.

In recent years, serious question has been raised about the continued criminalization of conduct that is essentially "victimless" and non-violent. The President's Commission on Law Enforcement and Administration of Justice has recommended that:

> "Drunkenness should not in itself be a criminal offense. Disorderly and other criminal conduct accompanied by drunkenness should remain punishable as separate crimes. The implementation of this recommendation requires the development of adequate civil detoxification procedures."[10]

Likewise, in the county mentioned above, a committee to study problems of crime and criminal justice in the local community recently concluded that:

> "...opinion has generally come around to recognizing that drunkenness must not be handled as it traditionally has been, although the method of handling it is still in a state of transition. Many people would deal with it as a public health problem, and the Crime

> Committee approves that concept. ...'Drunkenness' should be taken out of the criminal process entirely."11

Between September-December 1970, Task Force staff interviewed presiding superior court judges, county supervisors (normally the Board chairman), and county administrative officers in each of the 15 counties under study. Eighty-nine percent of these local officials urged that the "common drunk" be removed from criminal justice, including removal from the local jail. Seventy-one percent of these officials urged that responsibility for the care of "common drunks" be transferred to the health department or a mental health unit.

However, despite this widespread support for removing drunks from the criminal justice system, the Jail Task Force by no means found unanimity of opinion among the 36 jail administrators interviewed regarding the possibility of "de-criminalizing" public drunkenness and diverting the drunk from the county jail. While 21 of the administrators favored the idea of diverting him from jail, 13 expressed opposition to the idea, and 2 were not sure. Some of the jail administrators opposed the idea because they felt that jail was the most economical way of processing the common drunk. Others were opposed because they felt that the drunks provided a labor pool for jail work assignments which would otherwise be difficult to fill.

However, it is the position of the Jail Task Force that economic considerations alone cannot justify the continued criminal processing of persons who could be more effectively (and economically) handled in other ways. There can be little justification for consuming only 7% of a county jail budget for 41% of those who are incarcerated in it.12 Nor is the fact that drunks constitute a large labor pool sufficient justification for their continued incarceration. The Jail Task Force has found that the work assigned to those who have been sentenced to jail as a result of drunkenness is not of the type that will substantially contribute to their rehabilitation, or help them in the labor market in the free community. In the large county jails, the drunk typically is assigned only the menial work tasks. In a recent study of the skid row alcoholic in a Bay Area city, a captain in the county jail stated that:

> "The alcoholics do excellent work in culinary work. They do well in janitorial work. They will do the dirty work others won't handle.
>
> Do you know what would happen if the alcoholics no longer came here? They are 90% of the farm labor. If we lost them, we'd have to close this place down. Once in a while, I think what would we do without them? I don't know. It would take a complete reorganization."13

This study also found that the jailed alcoholics were similarly denied whatever rehabilitation and correctional services existed. The study concluded that even though the alcoholic is committed for what is possibly the least serious crime, he is reduced or degraded to the lowest of the jail inmates.[14]

In 1969 the Bay Area Social Planning Council conducted a study of the alcoholic in one of the 15 study counties. This study recommended transferring the responsibility for care and treatment of chronic drunk offenders from the criminal justice system to the county health officials.[15] The Jail Task Force urges that all counties explore similar diversionary programs and facilities for the alcoholic.

Diverting Other Types of Offenders from Jail

Administrators were also queried regarding the diversion of offenders who were mentally handicapped, and narcotics addicts. The following is a summary of their responses.

Offenders with mental disorders. A number of the administrators pointed out the ambiguity of the term "mentally handicapped", as used during the course of the interview. However, 22 favored diverting this type of offender to other agencies, while 8 expressed opposition to the idea, and 6 were not sure. Two administrators did not answer this question. Most of the sheriffs interviewed mentioned that the problems involved in managing the mentally handicapped are immense because these persons require segregation both for their own protection and for the protection of others. They also require constant medical attention which is not available in most jails. Recent changes in the State's mental health statutes appear to make it increasingly difficult to refer the mentally disturbed to the appropriate county agency.

The narcotic addict. Eighteen out of 36 respondents opposed the diversion of the narcotic addict from jail. Seventeen favored diversion and one was not sure. Four of the administrators opposing diversion indicated they would favor such a plan if some provision were built into the plan to prevent using addiction as an excuse for criminal behavior.

Summary. Almost all respondents favoring the diversion of the above two types of offenders indicated that they would support such a plan only if controls were provided to prevent using alternative treatment resources as a cover for criminal behavior.

As with alcoholics, local correctional agencies should make greater use of available medical and mental health resources both to supplement their correctional programs and to divert, when possible, those offenders who appear to need only medical or mental health types of services.

Sentence Modification

Although county parole is, in fact, a modification of sentence, the court also has the authority to modify a sentence once it has been imposed. A court may retain jurisdiction simply by suspending a portion of the jail term imposed. This strategy allows the court to review the case and to modify the original sentence. The number of sentenced prisoners released from county jails in California by sentence modification is far greater than the number released to county parole. According to the Bureau of Criminal Statistics, in the 11 study counties reporting figures, 1,954 (17%) of those offenders released prior to the expiration of their sentence had their terms modified by the courts.[16]

Each of the 15 counties in the Jail Task Force survey were employing sentence modification (although only 11 of them were reporting figures to the Bureau of Criminal Statistics), to release jail prisoners early. However, the procedures that had been established to allow review of a case by the court varied greatly from county to county. In some of the counties, only the court and the inmate are involved in the process. The inmate appeals to the judge in writing and the court makes its decision on the basis of the letter and court records. In other counties, jail prisoners request a modification of sentence through the county jail staff. The staff in turn submits a recommendation to the court for the final decision on the request. In yet other counties, requests are referred to the probation department; in turn, the probation department reviews the prisoner's records, interviews him, and makes its recommendation to the court. If the court grants the request for a modified sentence, the released prisoner is then supervised by the probation department.

In one of the 15 study counties, the welfare department has assigned 2 social workers to the jail complex. The social workers are involved with: (1) identifying inmates in need of services and programs, (2) referral for work furlough, (3) coordination of volunteer services, (4) study and recommendation for sentence modification, (5) referrals to community agencies, and (6) assistance in development of post-release plans.

Over a two and one half year period, since the existence of this program, the social workers in this county have identified, evaluated, and recommended to the court 561 inmates for early release. Of the 532 that were released early, only 92 (17%) have returned to jail on other charges. The social workers did not report the extent of modification or the number of days of incarceration time saved. However, if it is assumed that each prisoner was released 30 days early, and also assumed that the jail saved only the food costs ($1.00 per day average) for the "successful inmates", then a savings of $13,200 was realized. Less conservative figures would bring the total costs closer to $120 per month per inmate, thus yielding a savings of $52,800. The savings in food alone reimburses the county for two and a half years of the social workers' salaries.

A novel use of the idea of sentence modification is being used in 1 of the study counties by a Superior Court Judge. In approximately 75% of the sentences, the judge imposes a sentence and then suspends 1 day in order to retain jurisdiction. The sentenced person is then committed to the correctional facility.

This facility sponsors a number of programs including work furlough, educational furlough, Alcoholics Anonymous, academic instruction, and additional inspirational types of activities which consist of recorded talks by successful businessmen, successful ex-prisoners, etc. Participation by an inmate in any one of these programs results in a certain number of days being credited to his sentence. Participation in a number of such programs can result in a considerable reduction in the amount of time served. The quality of an inmate's participation is monitored by the judge, who devotes a portion of his own time to visiting the facility weekly. When an inmate arrives at this facility, a calendar is prepared with him, representing every day of his sentence. He begins to mark off the days he has served from 1, 2, 3, and so on and the staff mark off the days he has earned through program participation beginning at the maximum of his sentence, e.g. 365, 364, 363, etc. As these two extremes converge, the inmate can see very graphically that what he accomplishes has a very definite influence on how long he remains incarcerated.

As yet, the actual effect of this particular program upon the rate of recidivism or any other measure is not known. But it is clear that the judge and the staff both feel that it is of benefit and that it does prevent some of their charges from returning. What is even more important is that 1 judge and a facility staff are willing to try something that appears promising.

In summary, there is no established organizational pattern for the administration of sentence modification. The Jail Task Force believes that the Institutional Services Units, discussed in Chapter V, would be the most appropriate unit to perform this function.

County Parole

Penal Code Sections 3075 through 3084 authorize the establishment of county parole boards composed of the sheriff, the probation officer, and a citizen representative. Each of the 15 counties studied had established parole boards. However, the use of county parole in 1969 varied greatly among them. For example, according to the Bureau of Criminal Statistics, one of the large counties in the study group granted 300 paroles. Others did not grant any. In 1969 the 15 counties paroled a total of 488 jail prisoners. Because it is not possible to determine the number of inmates eligible for county parole who were released in 1969, it is not possible to calculate the percentage of paroles granted to those eligible. Some members of county parole boards estimated that less than 1% of the sentenced prisoners were eligible for parole.

In interviews with the sheriffs in the 15 counties, it was determined that there were almost as many interpretations of the reasons for parole as there were counties. In 3 counties, the administrators indicated that they were not there to "second guess the courts" who sentenced the inmate. In a number of other counties, paroles were granted primarily to relieve population pressures in the jail and secondarily to grant "hardship" leaves to inmates. In a few counties, the purpose was restricted solely to considering hardship cases.

A rather unique use of parole was being made in 1 county, based upon the need for hospitalized medical attention. With the advent of Medic-Aid, hospitals in this county began charging the sheriff for the services rendered to inmates, sometimes resulting in an astronomical fee when surgery and hospitalization were necessary. The sheriff soon recognized that the county would thus be liable for 100% of the medical costs whereas, if the inmate was not a prisoner and unable to pay, medical costs would be subsidized by Medi-Cal and Medicare. From then on, any inmate requiring such costly medical attention was granted a parole, had his medical needs served, and returned to the jail to finish serving his sentence. Although carried out under the rubric of parole, the automatic return of the person to jail nullifies this program as a parole program per se.

In most counties, the probation department provided the post-institutional supervision for county parolees; in others, there was no post-institutional supervision. None of the 15 study counties maintained a county parole officer, though it came to the Task Force's attention that at least one Bay Area county has a county parole officer who reviews and recommends cases for county parole and provides for their supervision upon release.

Overall, inmates released on county parole represent a minute portion of the sentenced population. At the present time, if an inmate is serving a jail sentence as a condition of probation, or if any part of his sentence has been suspended, he is not eligible for county parole. However, in the 11 study counties reporting jail statistics to the Bureau of Criminal Statistics, fully 56% of the sentenced jail population is released as a result of the expiration of sentence. All of these persons theoretically were eligible for parole; yet only a small fraction were released prior to the expiration of their sentence. Conditional release, or parole, is a correctional fact of life in both juvenile and adult institutions. Approximately 98% of adults sentenced to prisons are released prior to the expiration of their maximum term. The concept of parole and early release is consistent with the goal of reintegration, and no useful purpose is served by keeping persons incarcerated in county jails until the entire sentence has been served. It is costly, and it results in overcrowding. More important, however, it promotes feelings of injustice and bitterness among those serving time in jails, and seriously undermines reintegration efforts.

County parole would provide an effective follow-through for those releasees requiring after-care services. Because of the similarity and the fact that every county already has a probation department, the Jail Task

Force urges that county parole be integrated with probation services. It also believes that a group should be established, consisting of representatives from the sheriff's office and the probation department, to determine when a jail prisoner should be paroled and whether he is in need of after-care services. This evaluative process and the provision of after-care services would be appropriate functions to be carried out by the Institutional Services Unit discussed in Chapter V.

Weekenders

In each of the 15 study counties, the number of prisoners sentenced to serve weekends has been increasing at a rapid pace and causing considerable consternation for the jail administrator. The logistic problems of bed space, clothing, receipt and release of large numbers of prisoners have not, as yet, been solved in any of the counties visited.

Some administrators have considered a number of alternatives to weekend confinement in jails, including the rental of a hotel wherein work furloughees would also be housed, to special facilities which would be operated only on weekends. Some have considered the possibility of weekenders paying the cost of their incarceration as do work furloughees, and still others have asked judges to use other alternatives, such as work furlough or regular jail sentences. The weekend sentence is preferable to a total lockup because such sentences reduce the deleterious effect of total confinement while maintaining family, social, and economic ties. However, in general, weekend sentences appear to be an unnecessary and undesirable compromise.

The Jail Task Force believes that, if at all possible, the offender should either be placed on probation, without having to serve time on weekends, or he should be placed in a work furlough program.

Conclusion

This section has dealt with developments on the county level that are aimed at either diverting persons from the county jail or minimizing their contact with them. In Chapter II of this Report, it was seen that the jail population has been increasing during the past decade, and that the increase has been due entirely to the growth of the unsentenced jail population. O.R. projects and misdemeanor citation programs have demonstrated their value beyond any reasonable doubt. Yet, these programs are not being used extensively enough either to divert persons, or to minimize their contact with the jail. In light of the tremendous success of such programs, their greatly expanded use throughout the State would logically follow.

Although the sentenced jail population has remained relatively constant over the past 10 years, it should now be clear that a significant portion of that population is made up of persons incarcerated for drunkenness. Removal of these persons from the criminal process would greatly alleviate the overcrowded conditions currently found in many county jails, and would reduce costs as well. At the same time, more effective non-criminalized methods of handling drunkenness could be utilized.

As stated at the beginning of this section, one of the major concerns of the Jail Task Force is to divert persons from jail to other agencies and alternatives so that those who must be incarcerated by the courts will have the benefit of the limited resources available in these facilities.

Finally, the Jail Task Force believes that research needs to be greatly expanded in the areas of sentence modification and county parole, in order to demonstrate the feasibility of early release for greater numbers of persons. As was shown in the Juvenile Institution Task Force Report, it is possible to greatly curtail the length of sentence without significantly affecting recidivism rates or jeopardizing the community's safety. It is quite likely that similar results would be observed if greater numbers of jail inmates were released after serving only a brief sentence.

V. HIGHLIGHTS OF EXISTING PROGRAMS

This section deals with the programs the Jail Task Force found to be available to the sentenced inmates in the facilities of the 15 study counties. It is not intended to be a county by county list of programs available, but rather, it is a brief summary of all the programs which were available in the 15 counties. It is intended to provide ideas for adoption by other counties in the State. Unique applications or programs which might have application elsewhere are summarized below.

Work Furlough

Twenty-one of the State's 58 counties have established work furlough programs.[17] Eight of the 15 study counties had work furlough in various stages of sophistication, ranging from a specialized work furlough facility in 1 county to 3 counties in which the program was operating out of a maximum security facility, and 4 counties in which the program was operating out of minimum security facilities. Administrators in the 7 counties which did not have work furlough programs voiced concerns over starting such programs within existing facilities, fearing this would make them vulnerable to the introduction of narcotics and other contraband. One sheriff indicated that the board of supervisors was opposed, but he personally felt it would be a valuable asset. The introduction of narcotics via work furlough inmates is a realistic concern. However, in many counties the prisoner with a narcotics record is excluded from participation in work furlough programs. Still, it must be pointed out that inmates with narcotics records can pressure work furloughees to smuggle narcotics into the jail. In those counties which cannot afford separate facilities for work furlough inmates or complete segregation from the general population, the administrator has to decide if the advantages are worth the risks.

Generally speaking, drugs seemed to be available to inmates who wanted them. This does not mean that administrators should not be concerned about the prevalence of narcotics. They should, however, also weigh the benefits of new programs against the possibility of an increase in the contraband already there. On the basis of discussions with inmates and on the basis of experience in correctional facilities, it appears that drugs will always be available to inmates who want them, especially in minimum security facilities.

In one county which operated the work furlough program out of the minimum security facility, the work furloughees returned from employment and proceeded directly to their barracks after checking in. Infrequent spot searches were conducted whenever sufficient staff were available.

In almost every other county, work furloughees returning from employment underwent thorough "skin" searches and were issued laundered clothing upon return to the housing unit. In a third minimum security facility, there are no work furlough inmates, yet there are work crews dispatched daily to outside work details. Despite the difference in search and security procedures, it was fairly evident that narcotics, in varying amounts, were available in all 3 facilities.

The literature about work furlough, and the experience of those counties who have tried it, strongly suggest that the benefits of such a program outweigh the risks.[18] For most inmates, work furlough retains the control of the sentence yet eliminates or reduces some of the negative by-products of incarceration, such as loss of employment, and loss of self-esteem by having a family supported by welfare. Work furlough maintains the economic ties to the community, thus in part assuring that an ex-inmate will not become a burden upon the community. For those who are pragmatists and concerned with value for the dollar, it may be noted that work furlough pays for itself and partially offsets the costs of incarceration.[19] In fact in one of the 15 counties in 1967, the inmates on work furlough contributed $45,979.60 to family support. Otherwise, much of this would probably have been paid by the welfare department.

An interesting variation of work furlough was discovered when the study staff asked the jail administrator of a small county if a work furlough program existed. He responded, "Yes, we consider our weekenders as being in work furlough." He did not have a work furlough program per se because there was only 1 jail and no capacity to segregate the work furloughee. The sheriff, however, entered into an agreement with the local court that, if the court wanted an inmate on work furlough, the inmate would be sentenced to weekends.

Education

At the time of data collection, 6 counties were operating some kind of educational program, 1 was in the process of instituting such a program, and 8 did not have any kind of education program. Of the 6 counties making education available to inmates, 2 had programs in both maximum and minimum security, 1 county had it available only in the maximum unit, and 3 had education available only to inmates in minimum security facilities.

The sophistication of such programs ranged from a single volunteer instructor who came into the facility once a week to facilities where subjects were taught in classrooms by certified elementary school, high school, and college instructors. In 1 relatively small facility of approximately 50 minimum security inmates, a volunteer instructor tutors inmates to pass the GED test which, in turn, entitles inmates to a high school equivalency diploma. In the remaining 5 facilities, the instructor is full or part-time and is paid by the local school district at no cost to the correctional facilities. Courses are offered in the large counties on a daily basis and in smaller counties on a weekly or semi-weekly basis, usually in high school equivalency training, but frequently including grammar school mathematics, literacy training, and special subjects in which there is a demonstrated interest by a sufficient number of inmates.

The only requirements on the part of the correctional facility are classroom space and participation by a minimum number of inmates. Because the turn-over of inmates involved is quite high, the instructor must be flexible enough to teach illiterates simultaneously with other students who are studying for high school equivalency.

Many instructors in these counties are relying on programmed textbooks which require only a minimum of monitoring, while supplying a maximum of course content. One of the requirements for completion of the GED examination is that it be given at locations specified by the State, and these are usually high schools in the area, thus requiring that the inmate appear personally to complete the examination. Except for those students who are in maximum security facilities, the counties make arrangements for a staff member or the instructor to escort inmates to and from the examination.

With the increasing number of college level courses open to "challenge" (completing an examination on the subject matter and being granted the units for the course upon passage) and the expansion of curricula available in programmed texts, it is possible for a county jail inmate to complete at least a part of a college education without leaving the grounds.

Educational Leaves

Educational furlough programs are operated on the same basis as is work furlough, except that since the student does not have an income from his education he is not expected to pay his share of the costs of administration, as are work furloughees. Three of the 15 study counties had such programs operating in conjunction with work furlough. All such leaves are limited to college level endeavors, since high school and grammar school courses are available in the jails of these 3 counties. According to the staff involved, grade point averages improve considerably over the student's averages before incarceration. In 2 of the counties, educational furloughees are expected to perform a specified number of hours of institutional labor each week.

Vocational Training

According to a recent study, there are 23 vocational programs being offered in the jails and correctional facilities through the State.[20] In theory, these vocational programs differ from inmate work assignments in that they are intended to teach a skill which will result in the inmate becoming more readily employable. In actuality, vocational programs offered in local correctional facilities differ only in title. In order to qualify as a true vocational training program, the trainee must learn the theory as well as the practice. Only one vocational program in the 15 counties included both of these elements (in this particular county, the vocational program was a part of a Federal grant which terminated within a week of the study staff's visit). All other vocational training programs offered would more appropriately fall under the category of on-the-job training because they did not include classroom instruction on theory and none were certified programs. As indicated in the study cited above:

> "This means that in reality, despite the classification of these programs as vocational rehabilitation, their primary effect is to obtain labor from inmates. Coincidentally, inmates in these programs are also being taught a skill in the correctional sense."[21]

In discussing educational and vocational training programs with the administrators in the 15 study counties, it was apparent that they had been giving a great deal of thought to establishing new programs in this area or extending existing ones. However, it was clear to them that the traditional, in-house vocational program was not appropriate because of the great turnover as a result of short sentences given to county jail inmates. The jail administrator in one county reported that the average sentence was 22 days and that he had recently surveyed his inmate population to determine the feasibility of establishing a vocational training program in key punch operation. After eliminating those inmates whose sentences were too short to complete the program, and those whose educational level was insufficient, and those who were not interested, only 9 out of a population of almost 1,000 were qualified. Therefore, the plans were dropped. One large Southern California county reported that 75% of all sentenced prisoners served less than 30 days.

New Directions in Vocational Training

The fact that county jail sentences are quite short did not deter one county from establishing a vocational program of high quality, encompassing both the requirements of theory and practice. Using Federal Manpower Development Training Act funds and cooperating with the local school district, this county contracted with a large local industry to train inmates for eventual employment in the industry.

According to the facility administrator, the trainer is subsidized on a sliding scale according to the trainee's value in terms of production. During the first phases of training, the employer may be subsidized entirely for training the employee. Midway through the training, as the employee is producing at half capacity, the employer is subsidized one-half of the salary. At the final stages, the employer pays 100% of the employee's salary. The inmate on this training program is considered a work furloughee and, though he begins this training program while incarcerated, he continues employment on expiration of his sentence without a break in service.

Although this is a relatively new program and its actual effects are unknown as yet, the concept holds great promise since it is relatively unaffected by length of sentence. At the same time it overcomes the problem of jail programs being isolated from the "real world". There is little question that the trainee is being trained for jobs which exist, since employers are not likely to accept a student for training in skills which are not in demand.

Variations of this basic idea of sending inmates out to obtain skills are in operation in 2 other counties. There, inmates attend vocational training courses at the local community collete on an educational leave basis. The difference is that these students are not paid a wage while learning.

Counseling Services

Throughout the State, those counseling services which are available are normally performed by paid staff members, titled Rehabilitation Officers or Correctional Counselors, and community volunteers. Although an undetermined amount of counseling is carried on by custodial staff in their day-to-day relationships with inmates, for the sake of discussion in this section, these services will not be considered.

Statewide, there are 58 full-time rehabilitation personnel assigned to the detention and correctional facilities throughout the State.[22] There were approximately 25,471 prisoners in county jails and camps at the time that the inventory of rehabilitation personnel was taken.[23] There was, therefore, a ratio of 1 rehabilitation staff to 439 inmates. In the 15 study counties, there were 46 rehabilitation personnel providing services to 6,116 prisoners. Most of these staff members, however, were devoted totally to the administration of the county's work furlough program. Only 7 of the 15 counties had any staff in the counseling category.

In 6 of the 7 counties reporting counseling services, the staff are a part of the sheriff's office budget and, in one county, the rehabilitation officers are supplied by the county welfare department, but devote 100% of their time to prisoner counseling at the jail complex. Lack of funds has been one of the major obstacles to the establishment of counseling services in jails. Counseling services in the seventh county referred to above were supplied by a county department which was subsidized in large part by State and Federal sources.

There are some unique counseling programs that exist in county jails. As indicated in the section dealing with sentence modification, one of the 15 counties had assigned two social workers to counsel inmates in order to determine the types of services that might be provided them. One of the most important tasks of the social workers has been, as already stated, to recommend inmates for early release. Thus far, the program has had an exceptional degree of success. Of the 532 inmates released over a two and one-half year period, only 17% have been returned to jail on new charges. This counseling program has resulted in substantial savings of funds that would otherwise have been spent by keeping these inmates locked up.

Another county has also been conducting a unique counseling program, and is an example of how dedicated people can make a significant impact on correctional facilities as a by-product of their efforts. In this county, a probation officer has been assigned to the jail for the purpose of interviewing inmates for possible release on their own recognizance while awaiting trial. Through his visits to the jail, the probation officer became aware of the needs on the part of many prisoners for counseling services. With the support of the sheriff and the jail staff, he began group counseling sessions with both sentenced and non-sentenced prisoners. As the word got around to inmates, there was an increase in the demand for the probation officer's counseling services. To meet this demand, the probation officer contacted the state college in his vicinity. Students in criminology, social work and psychology were assigned to him for inmate counseling services as a part of their field-work training, for which they received college credits. The probation officer, at the time of the Task Force survey, had a number of external family counseling groups which had begun in the jail. The probation department recently assigned a second probation officer to the jail in recognition of the need for such services. The jail staff indicated that there had been a noticeable reduction in the tension levels of prisoners and was supportive to the idea of expanding these services.

Volunteers in Corrections

When asked if there was a place in the rehabilitation program for volunteers from the community, one of the county sheriffs responded "No" and 2 others questioned their value. The remaining 12 counties indicated that there was a place in the rehabilitation program for volunteers and most of them were already making some use of such services. In 2 of these counties, the volunteers were organized into groups subsidized by community funds, with some paid staff. In a few counties, the volunteers consisted of church people, usually ministers, who offered church services weekly and some personal counseling. One county's use of volunteers is so unique that it will be briefly described below.

The volunteers in this particular county are not organized, and, in fact, many do not know each other. Instead, the county has established a board of review consisting of the facility administration and the probation officer who screen applications from citizens who want to volunteer their services. Screening consists of a background check through CII, an interview to determine the volunteer's motivation, and the services he offers. Once the volunteer has been accepted, he is given a brief orientation including a review of the rules of the facility, some cautionary notes, and introduction to the staff. This process is quite similar to that being used in the Royal Oaks, Michigan, probation volunteer program.[24]

Once selected and oriented, the volunteer and the staff jointly determine a schedule for the former's services. This might range from teaching a course in first aid to escorting inmates back and forth to community functions (for inmates sentenced to this facility, the committing judge issues an order providing that the inmate may be removed from custody for specified periods of time under citizen escort). On the evening of the on-site study at this facility, 3 volunteers had returned approximately 12 inmates. In one case, the volunteer was a member of Alcoholics Anonymous and had taken 4 inmates to attend the weekly AA meeting. The second volunteer had escorted 5 inmates to the high school where they had completed the General Educational Development test (GED), and the third volunteer was returning 3 inmates who had been on work furlough and were being supplied transportation by the volunteer. It was indicated that some inmates attend Toastmasters, Junior Chamber of Commerce, and meetings of various other organizations.

The staff at this facility stated that the volunteer program had worked out quite satisfactorily and there had been only a few instances where volunteers had kept inmates beyond the agreed upon time. In only one case had this happened twice with the same volunteer. There have been no escapes as a result of this program. Except for the personal opinions of the people involved in this program, there is no accurate measure of its effectiveness. Certainly, the effectiveness cannot be measured in recidivism rates alone because, as stated in the President's Crime Commission Task Force Report on Corrections:

> "One major reason why voluntary efforts should be expanded is that corrections has too long been isolated from the mainstream of community activity. The direct contact of the volunteer with the correctional system provides a means of countering this situation. It is not enough simply to increase public understanding of corrections through programs of public education, rather, intimate personal experience with the offender has the capacity to make the volunteer an important participant in correctional work and a supporter of correctional effort."[25]

Another interesting type of volunteer program is the volunteer service organization. Over the years, these community organizations have carried out some research and demonstration projects on jail inmates and programs, but, unfortunately, they have been handicapped by insufficient funding and a lack of research skills. Consequently, the products of this research have not gained wide acceptance in professional correctional circles, even though some excellent results have been uncovered.

An example of such excellent volunteer group research is a demonstration project sponsored by the Northern California Service League, in which casework services were provided to county jail inmates.[26] Although the results were quite encouraging (of those "treated", 57% were re-arrested as opposed to 73% re-arrests for the "un-treated" group), the most significant results were the recommendations growing out of the project experience, which parallel the recommendations of the President's Commission Task Force on Corrections. The Service League's project began in 1958, 10 years before the President's Commission findings.

For counties which are considering adoption of a volunteer program or expanding present programs, the Manual of Correctional Standards by the American Correctional Association[27] has a chapter devoted to organizing such efforts and the Board of Corrections, Jail Services Division,[28] can direct interested parties to counties which are presently involving volunteers.

Comments

This section of the Jail Task Force Report is misleading if the reader gains the impression that a major attempt at rehabilitation or treatment is being made in the county jails of the State. Such is not the case, since the programs described above exist in only 5 of the 15 study counties and not all in the same county. The remaining 10 counties offer little or nothing in the way of rehabilitation and other treatment services. As indicated in a recent jail study:

> "At this point, the role of the sheriff's department as correctional agents comes into question. Certainly by looking at the personnel counts, (comparing personnel involved in security - 6,043 with rehabilitation personnel 17), one cannot escape the impression that the sheriff's departments are geared much more toward the custodial and management functions of detention and corrections. This appears to be the result of conscious decision-making and deliberate policy which is oriented primarily toward efficient operations and management of detention facilities (as opposed to correctional facilities)."[29]

The intention of this brief discussion of programs has been to suggest to counties that there are alternatives to the traditional trusty job assignments, and that alternatives do not necessarily require additional expenditure of funds. In fact, none of the programs discussed involved expenditures of funds from the sheriffs' budgets.

VI. THE NEED FOR FINANCIAL SUPPORT

There are two key influences affecting the quality of institutional corrections in any county. One major influence is the administrator who determines policy, assigns priorities, and reflects to his staff the importance of the correction function through his interest and support for the division. The second major influence is the Board of Supervisors, who allocate the funds with which to operate, construct, and staff correctional facilities.

Local Funding

Boards of Supervisors have traditionally been most unresponsive in approving new construction to relieve overcrowding of existing facilities. Overcrowded conditions and inadequate facilities have been known to exist for decades before Boards of Supervisors would authorize new construction; even then, authorization was often secured only after serious incidents had occurred in the jail and public attention brought to the problem. It is typically the combination of bizarre incidents occurring in the jail, a Board of Corrections investigation, support by the County Grand Jury, and factual reports by the sheriff, that result in augmentation of services or new construction.

A number of sheriffs pointed out that in competing for the local tax dollar, the jails have to compete with other departments which are subsidized by the State and Federal government, whereas the tax dollars supporting jails come exclusively from local tax sources.

Internal Budget Allocations

Correctional services tend to receive low priority in the budgets of most sheriffs' offices. In one of the most affluent counties of the State, in fiscal 1965-66, the operating budget for corrections was only 12% of the sheriff's total operating budget. In the next fiscal year, because of the construction of a new minimum security facility, the operating budget for corrections in the same county rose to 34%. In fiscal 1969-70, the operating budget had increased to 40%, a high figure when compared with almost all of the other counties in the State. It should also be noted that the salaries for sheriff's personnel in the corrections division of this county were proportionately lower than the operations budget. Thus, in fiscal 1969-70, while 40% of the sheriff's operating budget went to corrections, only 33% of his budget for salaries went to corrections staff. The picture on the statewide level indicates that only a small portion of sheriffs' budgets throughout California is channeled into corrections.

State Subsidy

When sheriffs were asked if the State should subsidize local corrections, 28 out of 32 responded affirmatively. Several expressed the fear that State subsidy would bring State controls. They also pointed out that many counties had negative experiences with other State subsidies in which the State had failed to adjust its funding rates to meet increases in cost of living, thus leaving the counties to pay a disproportionate share of new programs or projects. Examples of such occurrences were cited in the juvenile camp subsidy program, the probation subsidy program, and, most recently, mental health and welfare programs. For a more extended discussion of these concerns among local officials, the reader is referred to the Juvenile Institution Task Force Report. However, it should be made clear that, while it is subsidizing other correctional facilities and services, the State does not provide any subsidies to the county jails.

Other Possible Sources For Jail Funds

Administrators were asked to suggest sources of revenue for jail operation, other than property taxes. Of 26 replies, 15 suggested that a percentage of court assessed fines be allocated to jails. Eight suggested a bar tax or an increase in the alcohol tax to be used for subsidizing detoxification centers or jail programs for alcoholics. Two respondents would like to see work furlough funds returned to the jail rather than to the general fund. One sheriff suggested that the State could subsidize jail operations through the allocation of products from Correctional Industries. Since the cost of the products (furnishings, food, clothing) consumed in jail operations is primarily wages, and only a fraction is raw material, the State would be passing on a whole dollar value while expending only a fraction. Generally, however, the sheriffs were not optimistic about receiving significantly increased funding to bolster their jail operations.

VII. EVALUATION OF CORRECTIONAL FACILITY PROGRAMS

Knowledge of the Corrections System

The unfortunate part of many community-based correctional programs and facilities is that unsubstantiated claims and counterclaims are made about what jails are doing, with no systematic effort being made to determine what is effective, what is not, what costs too much, what does not cost, what the county has to support entirely, what the Federal government and the State will subsidize, and what really makes the difference in reducing crime. In a recent article titled "Opportunities for Action Research",[30] Montilla reviewed his experience in a 3 year project which took place in one of the 15 counties studied by this Task Force. Referring to the many successful demonstration projects across the nation which have proven successes in reducing crime and delinquency, he asks:

> "Why haven't they caught on in jurisdictions other than where they were developed? Why were innovations so often developed by groups not part of the formal (criminal justice) system? Why were so many promising correctional ideas of recent years, despite supportive evidence, allowed to die?"[31]

In regard to the lack of information and Montilla's question about the death of so many promising correctional ideas, he cites an observation by Bernard Diamond, M. D.:

> "One of the biggest differences between science and mysticism is that science utilizes the instrument of feedback....Mystical systems, including the law, do not do this. They, like Plato, deduce what ought to be and how things ought to be done. They proceed, as an act of faith, and then, in order not to shatter their faith and create doubts and uncertainty, they carefully avoid feeding back their results into the process by empirical observation of output. The advantages of such a mystical system are clear. The system is not subject to challenge or dispute....Such a system has a high capacity to survive unchanged irrespective of the value of its output. But ... the output is not entirely illusory....The output becomes a self-fulfilling prophecy to a certain degree.
>
> "For example ... the law has always been quite clear as to the single purpose of punishment; it is to deter crime.. ..As an article of faith, the law has accepted for thousands of years that punishment is an effective deterrent of crime. Most people in and out of the law firmly believe this to be true. And because they believe it, to some extent it is true. ...Sociology and psychology can easily demonstrate that the functions of punishment are manifold (that certain types of punishment have certain positive and negative effects on certain people under certain conditions). ...The mystical nature of (the legal application of punishment)...is apparent when it is realized how carefully the law has avoided subjecting its punishment output to empirical test. When faced with the empirical observation that punishment may not deter crime, the law simply refuses to feed back that observation into the legal process, thereby refusing to modify the basic belief that punishment does deter and obstructing the possibility of the development of new methods of influencing criminal behavior. ...But the law, when it does acknowledge that its punishment output does not deter crime, has only one remedy: increase the severity of punishment."[32]

Clarity of Goals and Costs

Although the goals of corrections have been the subject of much discussion, few would argue with the fact that corrections has something to do with reducing criminal behavior. It also exists to apply some sort of punishment to satisfy society's demand for vengeance. Punishment today is thought of as incarceration and incarceration frequently results in: (1) the learning by non-delinquents from delinquents, (2) a handicap to becoming re-employed, (3) loss of a job, (4) pressures upon an already strained family relationship, (5) loss of self-respect.

Before society can attain the lofty goals described in the establishment of the President's Commission on Law Enforcement and Administration of Justice, society will need to temper its need for punishing people. Punishing offenders by incarcerating them has not substantially reduced the probability of their committing further crimes.

Montilla offers an example where the costs of society's need to punish obviously outweigh whatever the advantages. And, this example speaks only to the tangible dollar costs, not to the costs in terms of human life and dignity.

> "A middle-aged divorcee with three minor children was convicted of issuing a $20 NSF check (against an account that had a $17 balance). She was jailed pending trial, was given a six-month jail sentence (which was suspended) and was ordered to pay restitution. She paid the restitution, probably out of her welfare check of $258 per month. The judge, in an unusual action, however, also ordered her to pay the county $75 for public defender services. When she later told the court that she could not pay the charge, she was jailed. This action set in motion referral of the children to juvenile court and their detention in the county childrens shelter at a county cost of $1,050 per month for the three children plus the jail costs for the mother.
>
> "Newspaper accounts of this case and a vigorous protest by the public defender finally brought about the release of the woman."[33]

How much is society willing to pay to punish people? As it is now, costs are hidden because so many different county departments are involved. If the "corrections system" were truly a system, not only would the results be plain, but the costs to the taxpayer would also be apparent.

Present Research Efforts

Probably the most sophisticated and comprehensive research now being conducted on a jail program in California is a work furlough study taking place in Santa Clara County. Under a research grant by the Federal Department of Health, Education and Welfare, Division of Vocational Rehabilitation, the Center for Interdisciplinary Studies at San Jose State College, in cooperation with the County Sheriff, is trying to answer, via empirical data, the question: Just how effective is work furlough?[34] Data gathering concluded in early 1971 and a final report should be published shortly. Although the major foci of the study are the economic and rehabilitative values of jail and an assessment of behavior change, a preliminary report[35] indicates that many factors in jail programming will be spoken to, including some interesting observations about the major role sheriffs will be playing in corrections.

A requirement of all demonstration projects funded by L.E.A.A. is that the project must build in a research and feedback element. As of this writing, very few projects have been funded which have jail programs as their focus, and of those which have been so funded, results are not yet available.

Although there are some isolated research projects being conducted in county correctional facilities, as yet there is no systematic evaluation and feedback system operating in any of the State's 58 counties. The Jail Task Force urges that such research systems be established at the State and local levels.

FOOTNOTES

[1] Board of Corrections, A Study of California County Jails, State of California (Sacramento, April 1970), pp. 102-105.

[2] Further discussion of volunteers in corrections is contained in the Juvenile Institution and System Task Force Reports, Correctional System Study (Sacramento 1971).

[3] Charles E. Ares, Anne Rankin and Herbert Sturz, "The Manhattan Bail Project: An Interim Report on the Use of Pre-Trial Parole", New York University Law Review, 38 (January, 1963), pp. 67-95.

[4] The San Francisco Committee on Crime, A Report on the Criminal Court of San Francisco, Part II: Bail and O.R. Release, San Francisco, February, 1971.

[5] Ibid., p. 21.

[6] Ibid., p. 22.

[7] Ibid., pp. 23-25.

[8] President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society (Washington: U.S. Government Printing Office, 1967), p. 233.

[9] The San Francisco Committee on Crime, A Report on Non-Victim Crime in San Francisco, Part I: Basic Principles, Public Drunkenness, San Francisco, April 26, 1971, p. 17.

[10] President's Commission on Law Enforcement and Administration of Justice, op. cit., p. 236.

[11] The San Francisco Committee on Crime, A Report on Non-Victim Crime in San Francisco, Part I: Basic Principles, Public Drunkenness, op. cit., p. 15.

[12] Ibid., p. 23.

[13] Jacqueline P. Wiseman, Stations of the Lost, (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1970), p. 113.

[14] Ibid., p. 113.

[15] Bay Area Social Planning Council, The Chronic Drunkenness Offender in Alameda County, (Oakland, December, 1969).

Footnotes

[16] Bureau of Criminal Statistics, *Adult Criminal Detention Reference Tables: 1969*, State of California (Sacramento, 1970).

[17] Board of Corrections, *op. cit.*, p. 53.

[18] Fred T. Hoover, *Work Furlough Practices in California 1968*, San Mateo County Sheriff's Department, August, 1968, Redwood City, California.; California Taxpayers Association, June, 1968, *Work Furlough Programs in California Counties 1967-68: A Workload Study*, State of California (Sacramento).; California Citizens Council, National Council on Crime and Delinquency, *Work Furlough, A Time-Tested and Tax-Saving Program For Your Community*, (Oakland, California, April, 1966).

[19] California Taxpayers Association, *op. cit.*

[20] Board of Corrections, *op. cit.*, pp. 51-60.

[21] *Ibid.*, p. 51.

[22] California Council on Criminal Justice, *The California Criminal Justice System*, State of California (Sacramento, 1970), p. 110.

[23] Bureau of Criminal Statistics, *Crime and Delinquency in California 1969*, State of California (Sacramento, 1970), p. 137.

[24] Royal Oak Municipal Court, *Concerned Citizens and a City Criminal Court*, Project Misdemeanant Foundation, (Royal Oak, 1969).

[25] President's Commission on Law Enforcement and Administration of Criminal Justice, *Task Force Report: Corrections*, (Washington: U. S. Government Printing Office, 1967), p. 104.

[26] Northern California Service League, *The County Jail Inmate As a Subject for Rehabilitation*, (San Francisco, August, 1964).

[27] American Correctional Association, *Manual of Correctional Standards*, (Washington: U. S. Government Printing Office, 1967).

[28] Board of Corrections, Jail Services Division, State of California (Sacramento).

[29] *Ibid.*, p. 73.

[30] M. Robert Montilla, "Opportunities for Action Research in Community Correction", *Journal of Research in Crime and Delinquency*, Vol. VI (2), July, 1969.

Footnotes

[31] *Ibid.*, p. 134.

[32] *Ibid.*, p. 128.

[33] *Ibid.*, p. 133.

[34] Alvin Rudoff, *et al.*, "Jail Inmates On Work Furlough", (paper presented at the *American Society of Criminology Annual Meeting*,) (Dallas, December 28, 1968).

[35] Alvin Rudoff, *et al.*, "Evaluating Work Furlough" (paper submitted for publication to *Federal Probation* in 1971). (Mimeographed.).

CHAPTER IV

THE MODEL COMMUNITY CORRECTIONAL FACILITY

This chapter presents a summary of the major elements of a model community correctional facility, including the county jail, as gleaned from the staff and inmates of correctional facilities in the study counties. It offers a statement of the goal of the model jail system and suggests specific methods to achieve the goal. Finally, this chapter presents the basic principles upon which progressive correctional facilities should be founded.

I. RECOMMENDATIONS FOR THE MODEL FACILITY FROM ADMINISTRATORS AND STAFF

Administrators and staff agreed on most of the elements proposed for inclusion in the model facility. Where there was significant disagreement, it is noted.

Adequate Funding

In order to accomplish a reasonably effective corrections task, there must be adequate facilities, sufficient staff, and programs which are effective. Adequate funds are mandatory to support all three of these ingredients. Because counties are already overburdened with increasing needs for funds, the State and Federal governments will need to subsidize local corrections facilities.

Effective Programs

Given adequate staff and facilities, efforts must be made to determine what programs will be most effective in reducing the recidivism for given types of inmates. As yet, however, there is little in the way of systematic empirical evidence demonstrating the effectiveness of alternative programs that exist in the county jail systems throughout the State. Most program decisions are made on the basis of untested rules of thumb, or on the basis of tradition. Both staff and inmates of county jails strongly recommended the development of on-going, systematic research aimed at determining the relative effectiveness of different programs that were being implemented in the county jails throughout the State.

Unified Efforts

Law enforcement, the courts, the county jails, and probation departments sometimes appear to be at odds with each other. The courts seem to be asking the jail to rehabilitate the offender, but with sentences of less than 30 days "rehabilitation" is difficult, if not impossible. There is a need to unify the efforts of these various agencies so that each knows what is expected and what it can expect from others.

Training for Corrections

Adequate provisions should be made to provide staff with appropriate and relevant training in jail procedures, human behavior, and techniques of rehabilitation. If administrators expect law enforcement personnel to undertake the job of rehabilitation, then they must make clear how corrections relates to law enforcement.

Law Enforcement and Corrections

Although there were notable exceptions, the majority of first line deputies manning the jails and some of the jail administrators suggested that corrections was not an appropriate function for a law enforcement agency. Sheriffs, however, were generally opposed to relinquishing the corrections responsibility.

Inmates Inappropriate for Jail

With some consistency throughout the 15 study counties, the Task Force heard both staff and administrators saying that jails were inappropriate places of confinement for the increasing number of younger, more troublesome inmates who, a few years ago, were sent to state prison. Many also observed that jails were inappropriate settings for the "revolving door" alcoholic. With highly aggressive offenders and alcoholics (and possibly other inappropriate persons) diverted from the jail, community facilities could begin to concentrate their efforts on the more responsive inmate.

Observations by the Jail Task Force

The recommendations of the Jail Task Force are based in large part upon the comments and concerns expressed by staff and administrators in Chapter III. However, the Task Force questions the appropriateness of a recommendation to divert the "younger, troublesome inmate" to state prison. Commitment to state prison should be a last resort for all but those who pose a serious threat to the safety of the community. Thus far, state prison programs have not proven to be more effective than local efforts and there are indications that the reverse is true.[1] Probably a more satisfactory resolution to the question of commitment to state prison for troublesome youth is to provide greater State support to enable local officials to develop more effective programs for this type of inmate.

II. RECOMMENDATIONS FOR THE MODEL FACILITY FROM INMATES

The reader will note that many of the inmates' concerns and recommendations correspond to those made by jail administrators and staff. This is not surprising, since both groups are intimately involved in jail processes. Their points of view differ, however. Inmates, for example, complained of staff being unwilling to listen to their troubles. On the other hand, the staff complained that there was insufficient personnel to provide the time necessary to give inmates adequate attention.

Humane Physical Conditions

The most frequently expressed concern or recommendation by inmates had to do with their physical surroundings. They stated that, in order to reduce the brutalizing effect of jails on people, jails should not be crowded and should be hygienically clean and sanitary. Inmates should be removed from cells when they become sick, and they should not be placed in tanks when they come into jail while obviously ill (inmates were apparently referring to drunks and addicts who were suffering from DT's and withdrawal pains). To expedite such changes, a number of inmates suggested that the general public should be allowed to tour jails unannounced.

Selection at Intake

With reference to the negative effects of locking people up in jail, inmates recommended that only the people who need to be in jail should be placed there. They would eliminate jail sentences for all first-termers unless they were "dangerous". They would further eliminate jail for users of marijuana and alcohol unless they requested some time in jail (contrary to what one might expect, there were a number of inmates who felt that jail had been their salvation because they had been caught up in a "madness" as they described it, which necessitated drastic measures).

Individual Attention

A universal complaint by inmates was that there was no one in the facility who had time to listen to them. Many stated that deputies or correctional officers were not there to listen to them, but rather to maintain security. Even if they would listen to them, there were not enough to go around. They would like to see deputies and correctional officers trained in human relations so that inmates would be treated more as individuals.

Secondly, they would like to see counselors or probation officers included on the staff, to help them unravel their complicated lives before release and to help them define some goals towards which to work.

Given case workers and custodial staff trained in human relations, they would add group counseling, or, as they termed it, "rap sessions" which would be designed to change the attitude of staff.

Segregation

Although there were some objections to the next recommendation, it appeared that there was some agreement to the need for segregation of inmates according to age and crime. Prisoners generally made distinctions between (a) inmates under 30 years of age, (b) inmates over 30 years old, (c) those who commit violent crimes and "hurt other people", (d) thieves, and (e) mentally disturbed offenders. According to the inmate model, the marijuana user, the alcoholic, and the heroin user would not be in jails.

The Opportunity to Earn Funds

Reasoning that most inmates are poor, do not have ready employment upon release, and do not have families to support them, one consistent recommendation throughout the Task Force survey was that they be allowed to work at jobs which pay them so that they could save for the day of their release.

Motivation

Many observed that jail inmates, by and large, are a very pessimistic group and have failed so many times that they leave jail knowing they will fail again. This seemed to apply particularly to the alcoholic. Inmates asked for programs which would change negative orientations to life. Examples they gave were Dale Carnegie courses, Alcoholics Anonymous, and Toastmasters.

Community Resource Information

A recurring request was for knowledge about resources in the community and how to apply for them. Many inmates had heard that they could qualify for vocational training but had no idea how to obtain such assistance. Inmates requested that representatives of various community agencies be allowed to come into the jail so they could obtain answers to their questions.

All Programs Voluntary

They recommended that no one should be forced to participate in any kind of program because (1) it ruins the program for those who do want to participate, (2) inmates do not gain anything unless they want to, and (3) it will eliminate programs which no one needs (presumably because no one will be attending them). In some cases, programs were available only to "honor dormitories" and inmates felt that these "honor inmates" were those least in need of programs.

Individual Responsibility

If this were a listing of recommendations according to priority, the need to have more responsibility would be one of the top priority items. This recommendation was made very frequently by the inmates. Generally, inmates believed that their lives were managed to such an extent that they were forced to respond in a child-like fashion. They perceived staff attitudes as suspecting the worst rather than expecting the best. In their opinion, expecting the "best" would be a greater inducement to responsible behavior. The problem is that no one is responsible (inmates have no role in the decisions effecting them) and everyone is responsible (if one inmate in a dormitory breaks a serious rule, the whole dormitory is sometimes punished).

Training in Use of Leisure Time

Inmates recommended the establishment of programs which would train them to use their leisure time constructively.

Academic and Vocational Training

They identified three areas in which the inmate population needed academic instruction. For those who could not read or write, there is need for some very basic instruction; for those who had been to school but had not graduated, they identified a need for instruction in order to obtain a high school diploma. A great number also requested various vocational training courses.

Increased Family Contact

Contact with family members was considered to be far more important to inmates than were any new programs that might be established in the jail. Inmates recommended a revision of visiting privileges to allow for more frequent visits and personal contact. This is consistent with the goal of reintegration. For the females, restrictions against visiting with their minor sons and daughters would be eliminated. There would be no limitation on the number of letters to and from families.

Release Based on Readiness

There was a high degree of consensus among inmates that lengthy jail terms embitter people, and that there is a time in most inmates' sentences when they are better prepared for release than at any other time. Because of this, they recommended that prisoners be released "when they are ready" rather than wait until the expiration of their maximum term. However, there was disagreement among the inmates on just how such a decision might be reached.

Mark Debt "Paid"

An overwhelming number of inmates spoke to the problem of the stigma of a person who has been in jail. Many employment opportunities are closed to them. When a crime occurs, they are the first suspects to be questioned. Furthermore, society never again fully trusts them. They wanted some process by which their crime could be erased from the records so they could compete in the labor market on the basis of ability rather than past history. As one inmate put it:

> "Once you've committed a crime you're never finished paying for it. After you've paid your debt to society you should be judged on your ability."

Summary

Generally, the recommendations made by the inmates interviewed are those which have been recommended by experts in the field, and virtually every recommendation made can be found in the President's Commission Report The Challenge of Crime in a Free Society.[2] Perhaps the only serious objection to implementing them is based on economics. If the State were to assure humane conditions in all county jails, the costs could be astronomical if examined in terms of large, steel and concrete maximum and minimum security jails. If, however, inmates' recommendations for selecting those who would go to jail were implemented (only those who need "control"), the present number of jails might very well be able to handle the inmates remaining. The funds presently allocated for new construction could be diverted to improved conditions and support for people-changing programs.

III. THE GOAL OF THE COMMUNITY CORRECTIONAL FACILITY

In further development of the discussion of functions, goals, and philosophies begun in Chapter II, the Jail Task Force proposes that the primary goal of corrections and particularly correctional facilities, is:

The protection of society through reduction of the probability that an offender will commit another crime.

Secondary goals include rehabilitation, reintegration, deterrence, and incapacitation by confinement. Some would argue that retribution is a fifth goal. However, retribution bears no relationship to the primary goal of corrections, i.e. the protection of society. Retribution may motivate those who sentence offenders to a period of incarceration, so this function may be subsumed under the heading of "deterrence".

IV. PRINCIPLES OF THE MODEL COMMUNITY CORRECTIONAL FACILITY

The basic principles of the entire correctional system are summarized in the System Task Force Report. The statements which follow attempt to apply these principles to community correctional facilities.

The Appropriateness of Incarceration

Jails and correctional facilities should be based upon the goals described above and should always be primarily geared at protecting society by reducing the probability that the offender will commit another crime. It is the position of the Jail Task Force that this primary goal is almost always compatible with and best achieved by rehabilitation and reintegration of the offender into society. This means that the jail must not be used as a "dumping ground" for society's misfits, such as the alcoholic and the mentally handicapped offender. The community has the responsibility for providing alternatives to confinement in jail for people who come to the attention of law enforcement for reasons other than the commission of a crime.

Coordination

The community correctional facility is only one component of the criminal justice system that is affected by and in turn affects all other components. This principle leads to the need for coordination among the criminal justice system components in order to achieve the overall goal as efficiently and economically as possible. This principle also speaks to the need for coordination between the local corrections component sub-units, correctional facilities, probation, and law enforcement.

Safe and Humane Conditions

The facilities which serve the criminal justice system (corrections and detention) must be able to provide safe and humane living conditions through appropriate housing and sufficient staff. If the community decides that a person must be locked up for his or the community's safety, the community has a moral and legal obligation to guarantee the individual's safety, and to provide him with living conditions which allow him to maintain mental and physical well-being.

Responsibility for Community Corrections

As the mobility of California's population increases, both the counties and the State must share in the responsibility for the reintegration of offenders. The State has the overall enabling responsibility for the corrections system. It must assume the responsibility for equalizing the financial burden among the counties through a subsidy and must substantially assist the counties in achieving their goals through consultation, standard setting and enforcement, training, and research. The counties have a responsibility to establish the facilities and provide the services that will meet the offender's needs. Community correctional services must meet or exceed the standards that have been set by the State.

Accountability

Jails (as well as all components of the correctional and criminal justice systems) must be accountable to the community in which they operate. This principle requires that a comprehensive fund of knowledge be developed in the following areas: (a) follow-up research to assess the outcome of decisions made by the principals in the criminal justice and correction systems; (b) the costs of the decisions made in terms of both immediate and long range costs based upon follow-up; (c) the existing and possible alternatives available to each decision maker at critical points in the correction system; (d) the inter-faces between the components of the correctional and criminal justice systems and other services in the community.

Range of Services

Treatment of offenders should be individualized to the greatest extent possible. This principle has implications for both the nature of correctional facilities and the variety of correctional programming available. The extent of external control upon an inmate should bear a direct relationship to the actual danger he poses to himself and the community.

Jails typically tend to over-control, probably because the maximum security facility can be used to house all offenders, whereas minimum security facilities can house only those who have a higher degree of self-control. In maximum security, the inmate has little opportunity to develop internal controls when they are lacking. He may find whatever ability for self-reliance he had diminishes as time in custody continues.

The range of services, therefore, must include maximum security facilities for those who pose an inordinate danger to the community, and minimum security facilities to house the work and educational furloughee and the "week-ender". A range of correctional programs must be available in each of these facilities, so that correctional efforts are directed toward the reintegration of the offender into the community. The range of programs should include the traditional work experience, vocational training, education, and community-based activities which can be carried on when the inmate leaves the facility. Ideally, offenders should be released back to the community out of a program such as work furlough, where there is a minimum of external control and a maximum of self-controlled, community-based activities.

Reintegration

In line with the principle stated immediately above, but of sufficient importance to re-state and develop, is the need to direct correctional efforts towards returning the offender to the community. Institutions have only a temporary role in dealing with the offender and therefore must make every effort, consistent with public protection, to assist the offender in making a successful return to the community. Staff of the correctional facility should be committed to the reality that the offenders whom they are supervising, in the next hour or in the next day, will be free in the community.

Visibility and Public Involvement

The facilities, processes, and programs in correctional facilities belong to the community and the community has a right to be informed on all aspects of corrections, particularly the goals of corrections and the extent to which corrections is meeting these goals. This principle means not only that the public should be made aware of research results, but also that it should be involved in correctional programming. The efforts of corrections in public education and community involvement will result in greater public support and greater ease in attaining the goal of corrections.

The model community correctional facility is based upon the foregoing principles and the recommended modifications which follow.

FOOTNOTES

[1] President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Corrections* (Washington: U.S. Government Printing Office, 1967), p. 162.

[2] President's Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society* (Washington: U.S. Government Printing Office, 1967).

CHAPTER V

PREVAILING ISSUES AND RECOMMENDATIONS

Undoubtedly, the present correctional system and the system of criminal justice are in need of fundamental change. Clearly, changing the jail operation without also changing the entire system is at best a stop-gap measure. However, the present corrections "non-system" may not be capable of withstanding the immediate future pressures without being inundated. This section of the Jail Task Force Report proposes some modifications to the existing "non-system" which are in keeping with a more fundamental reorganization and which are immediately applicable.

I. THE DILEMMA OF JAILS: CHANGE, TRANSFER, OR CLOSE?

A basic issue which increasingly confronts California's system of criminal justice is whether or not sheriff's departments, or any other law enforcement agency, should continue to operate jails, particularly jails for sentenced offenders. Data collected in this study revealed strong feelings on both sides of the issue.

A number of nationally respected authorities in criminal justice have urged that jails no longer be administered by law enforcement agencies. For example, the International City Managers Association stated:

> "The responsibility of jail management is separate from law enforcement and ideally should be administered by professional corrections personnel rather than by police officers."[1]

The President's Commission on Law Enforcement and Administration of Justice has also argued:

> "As long as jails are operated by law enforcement officials, no matter how enlightened, it will be more difficult to transform them into correctional centers. As a major step toward reform, jails should be placed under the control of correctional authorities who are able to develop the needed program services."[2]

Following this thought, an increasing number of municipalities have deleted the operation of jails from the responsibilities of their police departments. Also in accord with this philosophy, the California Penal Code allows for the creation of a separate county department of corrections to operate facilities for sentenced offenders.

In general, arguments advanced in favor of removing the jails from law enforcement administration are as follows:

1. The basic philosophy and approach of law enforcement and corrections are often in sharp contrast, in respect to offenders, viz. many see the role of law enforcement as "locking them up" and that of corrections as "getting them out" and reintegrating them into the community.

2. Effective correctional activities require a substantially different type of training than that normally provided for law enforcement personnel.

3. Freeing deputies from jail duty would make them available to perform critically needed police duties for which they are uniquely trained.

4. Placing of the jails under correctional personnel, such as the probation officer or a county department of corrections, would provide for more effective integration of correctional efforts, i.e. a "continuum of treatment" between pre-institutional, institutional, and post-institutional efforts.

5. Philosophically, rehabilitation ranks near the bottom of law enforcement's primary concerns while correctional personnel clearly see it as the primary and most effective means of protecting society. Rehabilitation tends to receive the lowest priority of law enforcement administration in terms of staffing and other resources.

6. County jails remain the only segment of the entire correctional system that is not administered and staffed by trained correctional personnel.

Those persons who favor retention of jails by law enforcement agencies offer the following observations:

1. Under the auspice of law enforcement, some jurisdictions have demonstrated an interest in corrections, and have developed sophisticated corrections programs.

2. There is a basic similarity in function, viz. providing a service to people.

3. Assignment to correctional facilities provides good initial training for the newly-hired deputy.

4. Some counties which had previously removed the jail function from law enforcement have since reassigned that responsibility to the sheriff.

Data collected in this study reinforce the dichotomy of opinion. As indicated in Chapter III, persons who staff California's jails feel that law enforcement, the courts, and corrections are working toward opposing goals, and that jail staff gets "caught in the middle". The data also reflect a sense of futility on the part of these persons in respect to the correctional goals of jails. Also apparent is the feeling expressed by jail staff that they trained to be law enforcement officers, joined a sheriff's department in order to perform police duties, and that they "want to get out" of their custodial assignments.

Data reveal that one-third of 36 sheriffs who responded to the question, "Do you believe that the operation of facilities for sentenced prisoners is an appropriate task for a law enforcement agency?", answered negatively, while two-thirds of the respondents felt that the task was appropriate. As indicated in Chapter IV, the majority view of the sheriffs is not supported by most of the first-line deputies who staff the jails, but it is supported by a majority of jail administrators. Sixteen of the sheriffs also thought that the staff assigned to corrections should be specialists in the field and 11 were opposed to specialization, preferring that their deputies be as capable in patrol, investigation and other duties as they were in corrections.

When the issue was discussed with presiding judges of Superior Courts, Chairmen of Boards of Supervisors, and Chief Administrative Officers in the 15 counties included in this study, 76% of the 38 interviewees favored removal of responsibility for sentenced prisoners from the sheriff. Sixty-three percent of the respondents urged creation of a local or regional department of corrections, and 16% favored transferring the jail function to the probation officer. They noted that the probation officer is a correctional specialist, and that, in many cases, he already operates correctional institutions.

It is the strong view of the Jail Task Force that California's jail system must decide upon one of two courses of action. The first such course is to remove responsibility for sentenced inmates from the sheriff or from any other department which is basically law-enforcement in nature. In this instance, it becomes necessary for the system to develop alternative programs, either under a local or regional department of corrections, or under the probation officer.

The second alternative is to retain the jailing responsibility within sheriff's departments, and to develop within those departments sophisticated correctional programs, staffed by persons trained in correctional philosophy and procedures, and making effective use of community-based resources. In short, if the latter alternative is to be chosen, the sheriffs of California must recognize the importance of corrections (as has been done in some California counties) and, in effect, develop a corrections-oriented "mind-set".

In either event, it is imperative that both local jurisdictions and the State (aided, as possible, by LEAA funds) make a substantially greater financial commitment to provide the necessary staff and other resources in order to develop genuine "correctional" facilities. If they do not, the results are clear: (1) jails will continue to represent the nadir of corrections and (2) the courts will continue to order them changed or closed.

II. INADEQUATE INFORMATION SYSTEMS

In a recent study of California county jails published by the California Board of Corrections, the inadequacies of information in the corrections component of the county criminal justice system were highlighted:

> "The findings in this area (program evaluation through data analysis) were quite discouraging. The ability of most counties to evaluate their own correctional efforts in any sense beyond intuition is non-existent... There cannot be effective programs, much less the evaluation of them, without sound, reliable records."[3]

Scarcity of information is not a recent development in local corrections. Adams and Burdman, in their study of California county jails 14 years ago, observed:

> "The jail administrator is operating, and he will conto operate, under a severe handicap until he developes a broadly useful inmate record system. This will permit them -- or cooperating research agencies -- to make certain kinds of evaluations of his operation. He will become able to plan his program with much more confidence than formerly. But more important, he will be able to make evaluations of a fundamental kind. He will be able to determine the contributions of specific administrative policies of programs for all inmates or for particular classes of inmates. ...At the present time, the major deficiency in county jail data is the lack of a system for maintaining accurate and meaningful statistics on population breakdowns. In order to obtain basic information as to size, composition, and movement of jail population at the particular time, jail officials were obliged to resort to estimates or to make laborous counts on the bound register. The absence of elementary statistical information is a serious obstruction to planning research."[4]

The 1970 study was encouraged to find that the Bureau of Criminal Statistics had slowly been increasing the coverage of its ongoing adult criminal detention study which began on a pilot basis in 1964 with five counties, and in 1968 had expanded to include 43 counties.[5] Unfortunately, because of economic considerations, the Bureau of Criminal Statistics is reducing its adult detention study to 15 counties and reducing its efforts to control the quality of the data input from the counties.[6] Development of the local agencies' ability to provide the Bureau with accurate data on the movement of offenders through the jails and camps was a slow and laborious process, as indicated by the four years required to expand the initial three county study to 43 jurisdictions. To return to the level of sophistication existing in 1965 appears to be an unfortunate step back-ward for the criminal justice information so badly needed.

In the 1969-70 fiscal year, the Department of Justice launched a five year plan to computerize the Criminal Justice Information System (CJIS). The extent of information CJIS will be able to provide correctional decision-makers, through the compilation of statistical reports reflecting the population movement through jail and probation, is not yet clear; the target date for the availability of such information is sometime in the 1973-74 fiscal year.[7]

In addition to its publication Crime and Delinquency in California, each year the Bureau of Criminal Statistics has provided the counties with adult criminal detention data which include statistics on the sentencing court, type of conviction, offense for which convicted, sentence, length of sentence imposed, actual time served, and individual inmate characteristics such as age, race, sex, and the type of release.[8] It would appear that these types of data would be indispensable to local administrators for purposes of budgeting, facility planning, and staffing. However, while all studied agencies were familiar with the yearly publication, Crime and Delinquency in California, few were familiar with the extent of data available in the companion volume, Adult Criminal Detention, and with the implications of these data. As one administrator said, "All they do is tell me that I have a problem, and I already know that."

The problem, therefore, is not solely one of insufficient data, but it is also one of interpreting the data and applying it to decisions. Montilla suggests that decision-makers in corrections do not want statistics and prefer to continue making decisions on the basis of faith and other considerations. He quotes a judge as having said, "I don't believe in statistics".[9] This attitude, which is probably held by many decision-makers in the criminal justice system, is perhaps the reason why administrators have been unaware of such data, and why administrators have been reluctant to cooperate in keeping systematic records on their respective agency operations.

Another, and extremely important, kind of information necessary to the development of an efficient corrections system are data which indicate what programs are most effective with what types of offenders. These types of data are developed through follow-up studies, which cover a period of time and which involve comparing offenders who remain arrest-free with those who are rearrested, in an effort to determine what factors distinguish the two groups. A pre-requisite to such follow-up studies is the development of base-expectancy tables, so that factors other than those being studied (programs, sentences, etc.) can be consistent.

The picture is quite different at the level of State correctional efforts. The Department of Corrections and the Department of the Youth Authority have a combined budget exceeding one million dollars per year for research and administrative statistics. Both departments know the characteristics of their wards/inmates, and are able to plot their populations on the basis of a multitude of variables. They can, with some accuracy, project their anticipated needs for facilities and programs, or the elimination of such facilities and programs for years into the future. The Department of Corrections has developed predictive base expectancy tables and has applied them to research program effectiveness. In view of the fact that State level corrections has only a minority of California's offenders under its control, while the majority of offenders are under local control and supervision, the expenditure of funds and efforts in research appears to be disproportionate. However, this situation can be gradually remedied by the State assisting local communities in research.

The problem of insufficient information can be divided into three sub-problems:

1. Insufficient data are fed back to the correctional decision-makers at the level of the community.
2. Correctional decision-makers at the community level are suspicious of criminal statistics so that the simple increase in the availability of such data alone would not suffice.
3. Sophistication in the use of correctional data is at an undeveloped level because skills in this area have not been called upon. Therefore, if data were available, and an attempt were to be made encouraging decision-makers to use these data, then it would be necessary to inaugurate an educational program regarding data use and create a system of demands for decisions which reflect understanding of probable outcomes.

Recommendations

1. The State of California should expand its major responsibility for the accumulation, dissemination, and the interpretation of data reflecting the movement of the offender through each sub-unit of the criminal justice system and should provide follow-up data which would describe the outcome of critical decisions made by each component of the criminal justice system.

2. The State should provide interpretative services and training for the correctional decision-makers in the use of the data collected. This effort should be directed at generating greater confidence in the use of data on crime and developing the skills necessary to apply data to decisions.

III. THE ISOLATION OF SUB-UNITS IN THE CRIMINAL JUSTICE SYSTEM

In the State of California there are 58 separate criminal justice systems, corresponding to its 58 counties. Within the system in each county, there are three relatively distinct sub-units composed of law enforcement, the courts (including the district attorney and public defender), and corrections (including detention and correctional facilities and probation). In the 15 counties studied by the Jail Task Force, 60 such sub-units were functioning. Though focus was on the detention and correctional facilities in these counties, staff gathered impressions from the remaining three sub-units in each county from the Correctional System Study staff.

Although ostensibly working toward the same ultimate goal, i.e., the reduction of crime, each sub-unit in these systems performed its function in relative isolation from the other sub-units. Further, sub-units in one county were also relatively isolated from corresponding components in the other counties. Within the county justice system, the relative isolation of one sub-unit from another expressed itself in a number of ways. Administrators of detention and correctional facilities felt that they were expected to be passive respondents to court decisions and sentencing which had a significant impact upon their operations. As the time between arraignment and sentence grows, so does the pre-sentenced population in the jail, thus overburdening the staff and resources available. With regard to the results of sentencing upon correctional facilities, the sheriffs indicated that they were expected to handle an increased number of sentenced prisoners for a shorter time, thus precluding the possibility of continuing or developing rehabilitation programs.

As an indicator of the isolation of correctional facilities from probation, the study results indicate that more than 61% of the inmates serving jail sentences as a condition of probation stated that they had not seen their probation officers, even though over 41% were within four weeks of release. According to one sheriff, his most important supporter was the probation department. However, in the remaining 14 counties, no mention was made of the contributions of probation to institution and correctional programs.

Though any single decision by a sub-unit of the criminal justice system may not have a significant impact upon the remaining sub-units, when a decision is considered in the context of the hundreds of thousands of persons processed through the jail each year, it is easy to see how decisions made in one unit cause reverberations throughout the entire criminal justice system.

With regard specifically to jail operations, there appears to be some duplication of effort as a result of the lack of coordination. The most apparent duplication existed in booking and records-keeping in those few counties which had both city jails and county jails. When an offender is apprehended by the city police department and booked into the city jail, he is fingerprinted, photographed, and his criminal record is researched through the Bureau of Criminal Identification and Investigation. When he is turned over to the sheriff, the procedure is often repeated. The staff time involved in the duplication of the process and the costs of duplicate records-keeping is incalculable but significant when one looks at the other sub-units in the justice system. Expensive criminal laboratories and technical staff sometimes exist within blocks of each other, one in the police department and one in the sheriff's department. Amalgamation of such services is taking place throughout the State but at a slow pace. If there is to be a substantial reduction of crime, and the costs of controlling it, there must be unification of effort.

Recommendation

3. Counties (or, if several counties wish to group themselves, regions) should establish Criminal Justice Commissions composed of representatives from the sub-units of the criminal justice system in the area, members of the community, and members of local governing bodies.

The local Criminal Justice Commission, as envisioned in this recommendation, is composed of an executive officer and members who represent local law enforcement, the courts, corrections, local governing bodies, and the community. The prime functions would be the "monitoring" and co-ordination of the criminal justice system, possible allocation of Federal funds to the sub-units of the justice system, and interpretation of the activities of the criminal justice system to the community. The Commission would have no functional authority over the sub-units.

IV. MINIMUM STANDARDS FOR LOCAL DETENTION FACILITIES

Revision of Standards Recommended

In December 1969, the State Board of Corrections published a report based on 18 months of extensive research by the Committee to Study the Inspection of Local Detention Facilities.[10] In regard to the adequacy of the present minimum jail standards, the Committee observed that only 9 out of the 108 pages included in the Minimum Jail Standards[11], published by the Board of Corrections, are mandatory. All other provisions are recommended. In regard to inspection, 14 separate bodies are charged with partial or overall responsibility of inspection, yet many of these bodies may not know what they are inspecting. In summary, the Committee stated: "The present system of inspection and its efficiency can be seen as one long series of 'even if's'.

1. Even if many inspections are legally authorized, some are not made for a number of reasons: The present provision for the inspection is permissive; the provision for formation of the inspecting agency is permissive; the inspecting agency lacks the manpower or time.

2. Even if the inspection is made, the subsequent report is generally advisory in nature and lacks any legal enforcement powers.

3. Even if the report contains advice, its value may vary with whether the inspector is a lay group or a professional.

4. Even if a citizens group inspects, it may not know what it is inspecting.

5. Even if a professional inspects, local pressures may limit his effectiveness.

6. Even if a facility is inspected, the security and programs aspects of detention may not be.

7. Even if either or both reports contain critical advice, their reports may not reach the responsible public body.

8. Even if a critical report reaches a public body, it may not be acted upon.

9. Even if the public body wishes to act upon it, public support may not be present.

10. Even if public support is present, adequate local funds may be lacking."[12]

Expressing its concern with this situation, the California State Sheriffs Association, at its annual State meeting on April 6, 1971, unanimously endorsed the concept that the State of California should enact and enforce mandatory jail standards.

Interviews with County Jail Administrators

The local administrator finds his requests for augmentation of jail services or expansion of facilities competing with other county departments' requests, many of which are subsidized by State and Federal funds wherein one local dollar generates two or more dollars from other sources. This situation results in a very low priority for the local corrections budget. In efforts to raise priorities, the sheriffs cite Minimum Jail Standards, grand jury reports, and reports by the Jail Services Division of the Board of Corrections. All too frequently, they still fail to obtain urgently needed funding.

Another major concern is that, even where the corrections budget is granted a high priority, many counties are financially unable to respond. The same concern was expressed in the 1969 study:

> "As was made clear by many respondents in this study, local jurisdictions operating detention facilities are not always capable of implementing the recommendations of inspectors because of their financial situations. For this reason, many local administrators suggested to the Committee that the state initiate a subvention program to upgrade substandard facilities. This, too, was beyond the mandate and the capability of the Committee to study, but again certain observations were made.

> "It is clear that local funding is indeed inadequate in some cities and counties in this state to furnish humane, secure detention facilities. Obviously, an outside source of revenue might accomplish much in this regard. Possible areas of application include personnel training and hiring, program development and operation, and structural renovation and construction.
>
> "We therefore suggest to the Board of Corrections that a committee be established to study the feasibility and development of a state subvention program for adult detention facilities."[13]

Recommendations

4. The State should subsidize operational costs of local correctional facilities as specified in the System Task Force Report. Basically, this plan prescribes subsidization at the following ratios:

> *60/40--"Open" institutions. The State would pay 60% of actual costs of those facilities that provide for regular access of inmates to the community, e.g. work furlough units or Youth Correctional Centers.*
>
> *40/60--"Closed" institutions which are community-based (i.e. they are within or adjacent to community they serve and provide a high degree of interaction with the community) and short-term (i.e. no inmate can be committed for more than 6 months).*
>
> *25/75--Other "closed" institutions (this would apply to most current jails).*

Any subsidization by the State, however, depends on adherance to State standards.

5. The primary proposal of the Committee to Study Inspection of Local Detention Facilities should be immediately implemented by the Board of Corrections.[14]

6. This Task Force joins with the 1969 Committee in recommending:

> *"That an appropriately constituted committee be established to explore and recommend changes to the present "Minimum Jail Standards", including specific attention to the following:*
>
> *a. Training of line personnel.*

b. Numbers of personnel.

c. Security of facilities.

d. Inclusion of all pertinent health and fire regulations.

e. Creation of more mandatory standards.

f. Provision for meaningful enforcement."[15]

V. THE FEMALE IN CUSTODY

According to the Bureau of Criminal Statistics, there were a total of 27,918 county jail inmates on September 25, 1969. Of that figure, 1,839 or less than 7% of the total population were females.[16] These figures include sentenced and unsentenced inmates.

Disregarding the camps, city jails and city camps, county jails alone held 18,148 inmates, of which 1,674 were females and 16,347 were males. Approximately one out of every ten county jail inmates, both sentenced and unsentenced, is female. All females are held in maximum security units and over 70% of all women are held in four of the State's largest counties.

In December 1958, the California Committee on the Older Girl and the Law published a volume of resource material focusing on the problem of young women in conflict with the law. Significantly, this 12-year old study is still the most recent resource material available on the subject. At that time, the authors estimated that approximately 5% of the total jail population in California were females. This reveals approximately a 2% increase in the female jail population over the 12 years from 1957 to 1969.

The Committee on the Older Girl and the Law stated: "Because there are so few women placed in custody, many parts of California have never established a suitable jail facility for women....This means that good planning for their custody must be done on a regional basis."[17]

In determining the present scope of the problem of females in detention, a review of the literature offered little. In Crime and Delinquency Abstracts, Volume 6, 1969, there were a total of 1,839 articles dealing with crime, delinquency, and corrections. Only 20 of these articles dealt with females and a number of these were reports of research from other countries. One article spoke to the same need that this Task Force has cited for relevant information on the female in jail, so that effective programs may be developed. The Task Force was unable to determine with any accuracy what the trends in female jail populations are.

According to a 1966 study by the Department of Corrections, it was anticipated that the female State prison population would increase from

980 in 1966 to 1,375 in 1970.[18] This anticipated increase did not materialize; in fact, there has been a decrease in the number of females committed to the Department of Corrections and some Departmental authorities credit the probation subsidy program with the reduction. The 15 counties studied had experienced neither an increase nor decrease in the female prison population over the past two or three years.

The Task Force discovered that, except in a few counties which have specialized female facilities, all of which are maximum security, the female in jail has fewer opportunities for participation in any meaningful programs or activities. She is housed in facilities that are in worse condition than are those provided for her male counterpart. The per capita cost of her incarceration is almost 50% higher. The reasons for these conditions are undoubtedly related to the small number of females scattered throughout the county jails of California. At the time of data collection, there were a total of 25 sentenced female prisoners in the 12 Northern California counties. Developing appropriate programs for this number scattered over so large an area is not likely to be feasible for any single county. Therefore, the State must assume responsibility to assist through the coordination of efforts and through subsidy.

In summary, adequate facilities and services do not presently exist for female inmates. The most commonly utilized approach is to incarcerate them in maximum security facilities at both the State and local levels. This is costly both to the community and to the offender.

Recommendation

7. Local communities should begin immediately to develop alternatives to incarceration for females. Such alternatives should include supervised group homes and special probation supervision programs.

In addition, local communities should begin immediately to expand programs for incarcerated females. Among such programs which might be considered are community centered education, work furlough, and contractual agreements with other counties.

VI. THE APPROPRIATE ALLOCATION OF CORRECTIONAL RESOURCES

Resources Limited

There are very clear indications that California is close to reaching the limit of its capacity of taxing local properties of citizens for support of the services expected. Corrections has only a limited amount of resources (staff, programs, facilities) which it can apply to correcting the offender. Local detention and correctional facilities throughout the State are spreading their resources rather thinly and equally throughout the population, with little knowledge of who needs the resources. The result is that correctional programs are delivered to some inmates who do not need them while other inmates are passing through the system without full benefit of the programs available.

Serious Offenders Pass Through Unidentified

In a study of admissions to State prison for a first felony, it was discovered that over 73% had a history of previous misdemeanor offenses.[19] Assuming many had been sentenced to jail, serious offenders (as defined by commitment to State prison) had been through the county jail system without apparent effect. In the present study, 75% of the sentenced inmates in county jails had served at least one prior jail term. Forty-four percent had served three or more prior terms and 20% had served 6 or more sentences. Yet, the State's community correctional apparatus continues to operate, sparsely spreading its limited resources, without establishing adequate screening and classification programs. The President's Crime Commission has observed:

> "...identifying dangerous offenders who require rigorous control and ... appropriate methods of rehabilitation ... would also lead to economies, since offenders who need minimal supervision could be handled expeditiously."[20]

The Maximum of Effect

People change over a period of time, depending upon a number of variables, the effects of which on any one individual cannot be predicted with any degree of accuracy. Unless an inmate's sentence is based upon the need to punish, society cannot expect judges to determine the length of term solely on the basis of what little is known about the offender at the time of sentencing. The phenomenon of increasing use of a jail sentence with one day suspended is no doubt a recognition on the part of judges that it might be necessary to modify the sentence as time passes. The suspension of one day retains the judge's jurisdiction.

Information is Readily Available

Much of the data necessary to development of an effective classification program already exists within the justice system, although the appropriate decision-makers do not have access to it. For example, in a county O.R. unit, certain facts about the arrestee's life in the community must be obtained. Once the information has served its purpose, it is destroyed, and the next decision-maker must again gather the same basic information plus additional information appropriate to his level of decision.

In the development of base expectancy tables[21] and in the Vera Foundation's Manhattan Bail Project,[22] it has been established that a surprisingly small amount of information about a person allows for predictions to be made with a high degree of confidence. In the case of base expectancy tables, a few readily available factors allow administrators to make parole decisions with a higher degree of accuracy than if the decision-makers had all the facts possible on an offender.[23] In the Vera Foundation project, 7 factors allowed prediction with acceptable accuracy of whether or not a person could be released from jail without posting bail. As stated in Chapter III, these factors were: (a) employment, (b) family, (c) residence, (d) references, (e) current offense charged, (f) previous record, and (g) other factors, such as medical care, unemployment insurance and previous experience with bail. The point is that, with very little effort, gross screening devices requiring a minimum of information, will allow for more reliable decisions than are now being made in the areas of O.R., sentencing, placement in programs, and post-jail supervision. These gross screening devices can identify offenders in need of more sophisticated assessment such as may be available through instruments applied by a psychologist or sociologist.

The Bureau of Criminal Statistics could offer significant assistance to the counties in the development of O.R. prediction tables and base expectancy rates. The Bureau already has much of the data and access to computers which would simplify the development of these tools for local agencies.

In summary, correctional resources are limited, potentially serious offenders escape detection, and resources are expended on many who do not require them. Although much information for classification and allocation of correctional resources is readily available, it is not used. Sentences are pronounced and, though the desired effects may result prior to expiration of sentence, little use is made of sentence modification based on the offender's response to incarceration. In general, efforts to release inmates who do not need to be confined are minimal and efforts to rehabilitate and reintegrate jail inmates back into the community are almost a rarity.

The Institutional Services Unit

The problems described above can be solved by developing an appropriate organizational mechanism. The Institutional Services Unit is such a mechanism that can provide the necessary services not traditionally found in county jails. The Unit might be a co-operative venture jointly undertaken by the County's Probation Officer and Sheriff, or it might be established in whatever manner is deemed appropriate by the local Criminal Justice Commission. It would assume the responsibilities of screening and arranging for the release of inmates as soon as possible and of providing or coordinating efforts at rehabilitation and reintegration.

It is noted that the genesis for such a program presently exists in some counties, wherein probation officers (or, in one county, a social worker) are assigned to jail staff and thus become an integral part of the jail program.

Functions. The Institutional Services Unit would perform the following functions:

1. Own recognizance (O.R.) or other similar release evaluations for unsentenced inmates.

2. Counseling services (individual, group, and family) for inmates, including "crisis intervention" counseling at the point of initial confinement (as is being done by some juvenile probation departments) to enable more releases before court.

3. Coordination of volunteer services in the facility. This might mean supervising law school students who are conducting O.R. evaluations or volunteers who are involved in writing progress reports. If college students majoring in the behavioral sciences are assigned to this Unit to obtain field work experience in casework, quality control and supervision is provided by the staff in this assignment.

4. Program development and coordination. This could be a program of field work experience for senior or graduate college students or it might be the coordination of an MDTA vocational training program, or the development of any program which meets needs in the facility.

5. Preparation of progress reports on inmates sentenced to county jail for more than 60 days. Reports favorable to release are submitted either to the judge or to the county parole board, whichever is appropriate.

6. Contract services. This includes seeking out and contracting for the use of appropriate services from the community and other agencies.

7. To assist both in preparing inmates for release and in helping them make a successful transition back into the community. This could include provision of county parole.

Staff. Staff might consist of professional correctional personnel, volunteers, and students in field work placements. As far as possible, direct services would be provided by volunteers and/or students to be supervised by professional personnel in the same manner as the Royal Oak, Michigan, Municipal Court Probation Project.[24]

Recommendation

8. Counties should establish Institutional Services Units either as a joint responsibility of the Sheriff and Probation Officer or in a manner prescribed by the local Criminal Justice Commission. The responsibilities of these Units would be essentially to screen and arrange for the release *of inmates as soon as possible and to provide or coordinate efforts at rehabilitation and reintegration.*

VII. THE ALCOHOLIC IN THE JAIL

> "Concerning the alcoholic, opinion was unanimous that he was a medical and psychiatric problem and not a criminal."[25]

This statement was made by a California Legislative Committee studying jails over 25 years ago, yet, for the most part, the alcoholic is still in jail. In one medium-sized study county, over 10,000 drunks are arrested and jailed each year. In a large Bay Area study county, over 15,000 are jailed each year for public drunkenness, almost 12,000 of which are arrested in one city. What is more startling is that approximately 2,000 persons accounted for over 7,700 of the 12,000 arrests. A study of a San Joaquin Valley county resulted in an estimate of $1,000,000 as the cost of the alcoholic to the criminal justice system.[26]

Is there no way to divert the alcoholic from the criminal justice system? A number of lawyers, sheriffs, and criminologists expect that the United States Supreme Court will eventually declare alcoholism to be a health problem and jailing to be an inappropriate response to this illness.

Very few of the counties studied were planning alternatives, primarily because they were not aware of any more economical system for the drunk than jail. But, because costs are hidden by present methods of monitoring the justice system (the yearly law enforcement budget), some costs are not considered. For example, the recidivist or "revolving door" alcoholic returns to the jail repeatedly, but the St. Louis, Missouri, Detoxification Center Report cites a 60% reduction in recidivism.[27] Another example of hidden costs is the financial burden upon the hospitals which treat the alcoholic for everything from broken bones to cirrhosis of the liver.

The St. Louis Detoxification and Diagnostic Evaluation Center

Under the St. Louis Detoxification Center program, when a law enforcement officer encounters a drunk, rather than jailing him, he transports the inebriate to the Detoxification Center where the officer fills out an admittance form and, by telephone, determines if the inebriate is wanted by any law enforcement agency. The process saves 50% of the arresting officer's time when compared to the traditional booking procedures, thus freeing the officer for more appropriate law enforcement functions. Those admitted to the Center are offered seven days of service on a voluntary basis. Surprisingly, 90% elect to stay the seven days.[28]

Those admitted are bedded, bathed and rested, given medical examinations and services needed, and are contacted by various social service and alcoholic treatment groups and agencies who help them formulate post-release plans. Of the 1967 dischargees, 46% had one or more arrests in the three months prior to admission, but only 13% had an arrest in the three months following their release from the Detoxification Center.[29]

Support From Law Enforcement

In February of 1968, the California State Sheriffs' Association passed a resolution supporting the establishment of detoxification centers throughout California, not only because of humanitarian interests, but because such a method would free the patrolman for law enforcement duties.

Funds

Although Law Enforcement Assistance Act funds are available to assist counties in establishing demonstration projects such as detoxification centers, the need is statewide and therefore requires State efforts and funding.

Recommendation

9. The State should establish additional taxes on alcoholic beverages which would be used solely for research into alcoholism and for the establishment of detoxification centers where needed with treatment services provided by the appropriate mental health or health departments.

VIII. COMMUNITY INVOLVEMENT IN CORRECTIONS

The Citizen Volunteer

Citizen involvement in corrections is at least as old as the field of corrections itself. It is an historical fact that citizen involvement was responsible for the movement from corporal punishment to incarceration in the 18th century and that Quakers influenced the planning of our earliest penitentiary. Except for very recent efforts, such as the Royal Oak Probation Department,[30] the use of volunteers has not kept pace with the growth of the field of corrections; in fact, there has been a trend to replace volunteers with skilled specialists.[31]

There are four important problems existing today in the nation which should force even the most reluctant person to re-assess the importance of involvement of volunteers in corrections. They are: (1) the vast numbers of people passing through the justice system versus the very limited number of paid staff to deliver services; (2) funds necessary for the support of corrections programs will be withheld if community support is also withheld; (3) the product of corrections, the client, must return and be accepted by a community of citizens; and (4) there is a quality about volunteer correctional efforts as opposed to paid staff efforts, which often make them more acceptable to offenders.

According to the President's Crime Commission, a successful volunteer program can be assured in a community if:

1. There is a serious commitment on the part of the agency to use volunteers.
2. There is careful screening of those who offer their services, to assure selection of persons who have good capacity for the work that needs to be done (this should not exclude the ex-offender).
3. There is an organized indoctrination and training program to interpret the offenders and their needs to volunteers and to give them a realistic perspective of the problems they will meet. Training should continue at intervals and focus on problems encountered by the volunteers.
4. There is careful supervision that will ensure the optimum use of the volunteer.
5. There are systematic procedures for giving recognition to the efforts of volunteers.[32]

Recommendation

10. Staff and resources at the community level should be allocated to the recruitment, training, and employment of community volunteers in local correctional institution programs.

Since the value of, and the need for, volunteers cut across each of the components of the community criminal justice system, one possibility that should be seriously considered for the administration of such a volunteer program is the establishment of a volunteer coordinating unit as a subunit of the local Criminal Justice Committee proposed in Recommendation No. 3.

IX. THE CORRECTIONAL STIGMA AS A CORRECTIONAL HANDICAP

The fact of having committed a crime and served a sentence results in decreased opportunities for employment, thus establishing conditions which may increase the probability of the commission of another crime. Although there are provisions for the expungement or sealing of criminal records for some misdemeanants under 21, the procedures are not well known even to those offenders who are eligible, and frequently do not operate as intended. For example, one administrator in the criminal records division of a county informed the Task Force staff that he had to retrain his staff when he overheard one of the records clerks informing a potential employer of a youth that "his record has been sealed", thus leaving the recipient of this information wondering if the youth's "sealed record" was for speeding or rape.

While no specific recommendation is offered in this Report, the Jail Task Force urges that all possible efforts be made to effectively remove or minimize the stigma of corrections once "the debt is paid".

X. A COMMUNITY DEPARTMENT OF CORRECTIONS

As discussed in Chapter III, there is some disagreement regarding the need to combine under one administrator the local corrections function, i.e. a county's correctional facilities and probation services. Support for this plan was apparent in this Task Force's interviews with the deputy sheriffs who were staffing the jails. There are obvious benefits from such an amalgamation such as the unification of effort that would provide a continuum of treatment before, during, and after incarceration.

There is, however, great controversy over this proposition from politically powerful elements on both sides of the question. Because it is such an important issue, the Jail Task Force observes the following:

1. Insofar as the mission of corrections is concerned, the activities taking place at the time of arrest and detention prior to sentencing have as much influence on the offender as do post-sentencing activities. Proponents of a local Department of Corrections are only proposing a shift in the continuum at which time the offender is turned over to another agency.

2. The distinction between status "in jail" and "on probation" may well diminish, and, since it is human to "err on the side of caution", such an amalgamation may result in greater use of jailing and for longer terms. Because of the distinction present in operations today, the placing of a probationer in jail should have to be justified.

3. There are examples of counties in which the sheriff and the probation officer are working together effectively. The key to this relationship and to the effectiveness of either program is the support and concern it receives from the top administrator on down to line staff.

Recommendation

11. Those counties expressing an interest in establishing a County Department of Corrections should be encouraged to do so through Law Enforcement Assistance Act funds and consultation from the State.

XI. INTER-COUNTY PLACEMENT

The Jail Task Force determined that approximately 2 out of every 10 inmates serving county jail sentences reside in counties other than those in which they are incarcerated. In keeping with the principles that reintegration of an offender is an important goal of the correctional facility and that reintegration is easier to accomplish when an inmate is in proximity to his family and community, the serious handicap of confinement in a distant area is obvious. Attention is called to the Juvenile Court process where youths are routinely transferred to their home counties for treatment. Similarly, adult probation and parole have developed transfer procedures for quite some time without undue hardship on any participating county.

Recommendation

12. Counties should embark upon cooperative arrangements to provide for the reciprocal transfer of inmates from counties of commitment to counties of residence.

XII. HASTENING THE DEMISE OF THE CITY JAIL

As indicated in the 1970 Jail Study, the trend in the last 15 years has been to move away from city level jails in favor of county operated detention facilities.[33] In 1960, city jails held 22% of all incarcerated adults and, in 1969, this percentage had dropped to 9%.

The reasons for the gradual demise of the city jail, include, but are not limited to, the fact that the city jail has represented a costly duplication of services especially where a county and city jail are located within miles of each other. In some instances, the city jail operation has been turned over to the sheriff and, in other cities, the jail has been remodeled into other kinds of facilities and prisoners are booked into county jails.

In those counties where the sheriff has a well developed rehabilitation program and a city jail retains sentenced prisoners, a goal of corrections is subverted for no good reason. In the case of the large county where a number of county jails and correctional facilities are under the sheriff's administration, it is frequently possible to place an inmate close to family and social ties whereas in the city jail this is frequently impossible.

An example of the possible costly duplication of services can be seen in a large Southern California county which has presently budgeted approximately $25,000,000 for the construction of a 2,200 bed security jail addition. In this county, there are 56 city jails and there is no central authority which knows at what level of capacity the 56 jails are operating. Quite possibly, there may be 200 or more unoccupied beds which could be used by the county sheriff for sentenced prisoners, thus reducing the need for a comparable number of beds in the projected jail. Management of all jails within a county by the sheriff may provide better usage of available facilities.

The county operation of city jails is not the only solution. Sheriffs may wish to contract with city police for housing of sentenced prisoners.

With the steady increase in the number of civil disturbances and demonstrations which often require the processing of large numbers of people, there is a very definite need for a central authority to have knowledge of the bed space available in detention facilities in the county and within a reasonable distance.

XIII. YOUTH CORRECTIONAL CENTERS

In the estimation of the Jail Task Force, probably the most promising and innovative facility-based correctional program proposed thus far is the Youth Correctional Center.[34] This concept, developed by Bradley, Smith, Salstrom, and others,[35] incorporates:

1. Location in high delinquency areas.
2. Extensive community involvement.
3. Emphasis on behavioral change.
4. Use of flexible degrees of control.
5. Continuity of relationships - same staff inside and outside.
6. Employment of ex-offenders and non-professionals as change agents.
7. Decision-making power shared among all participants.
8. Built-in evaluation of effectiveness.

In 1969, the California Legislature provided for a construction and staffing subsidy to any county which would establish such a facility. To date, however, there have been no funds appropriated for this program; as a result, although several counties have expressed considerable interest in this concept, there have been no applicants for this subsidy.

The Juvenile Institution Task Force has identified the lack of proper correctional facilities or programs for the young adult as one of the more serious "gaps" in correctional services for youth. The Jail Task Force strongly concurs in this observation.

Forty-four percent of county jail inmates in the study were between the ages of 18 and 25. Establishment of Youth Correctional Facilities could result in a lessening of population pressures in jails as well as providing more appropriate services to youth.

The Jail Task Force, therefore, joins with the Juvenile Institution Task Force in making the following recommendation.

Recommendation

13. Counties should immediately begin planning and establishing Youth Correctional Centers or similar facilities and programs as an alternative to jails wherever appropriate.

XIV. RECOMMENDATIONS REQUIRING ONLY ADMINISTRATIVE ACTION

The Jail Task Force made a number of observations which are perhaps inappropriate for inclusion in the discussion of major issues and recommendations, but which are nevertheless important enough to include as a part of the overall report.

Administrator Attitudes and Quality of Program

Wherever this Task Force observed high morale, efficient functioning, and a sense of accomplishment on the part of staff, these qualities were directly related to the degree of concern and support demonstrated by the top level administrator (usually the sheriff). Where these qualities were absent or significantly reduced, staff frequently could not recall when they had last seen their department head.

Jail staff have a most difficult job to perform, often under very poor conditions. Regular visits by the department head, together with a strong demonstration of interest and support on his part, are essential to creating a climate where a good job gets done.

Recommendation. 14. To maximize improvements in staff morale, effective programming, and efficient operations, department heads should demonstrate a greater interest in and support for those staff who are involved in the corrections functions.

The Cloak of Secrecy

A number of jail administrators expressed the need not to hide incidents which occur in the jail, such as homosexual rapes by inmates, disturbances, and assaults. A few, however, felt that the less the public knows, the better. This latter attitude, probably based on fear of public criticism, is a very shortsighted view, because ultimately it is the community which shares the responsibilities for conditions in the jail. The more the public knows of jail conditions and problems, the more support the sheriff is likely to receive when he asks for funds to improve conditions.

Recommendation. 15. Sheriffs and correctional facility administrators should establish a policy of public relations in which the public, through the appropriate news media, is allowed free access to facility programs, problems, and incidents.

The Correctional Officer vs the Deputy

A number of counties have established the classification of "correctional officer" to take the place of the "deputy" in jail operation. This may be a very good idea; however, two counter-productive problems appear to be accompanying the establishment of this classification. First, it is a dead-end classification with no provisions for career development, thereby limiting recruitment to persons who are not looking toward the future, except to retire, and to people who will move on to other jobs as the opportunity arises.

Secondly, the correctional officer classification was originally intended to be a way to save the county money. Correctional officers are paid up to $100 less per month than are their counterparts, the deputies. However, because it is a "dead-end" classification, most staff are at the top step of their salary range which is above the pay, in most instances, of the deputy in his first year of service. Thus the overall effect is that salaries are higher for jail operations where correctional officers are employed. Also, this difference in pay subtly tells personnel in jails that their jobs are not as important as other functions in the sheriff's department.

Recommendation. 16. A county electing to establish a "correctional officer" classification to staff corrections facilities should ensure that such personnel are paid and trained at least on a level equal to that of the "deputy sheriff" and that there are provisions for a career ladder to supervisorial and administrative positions.

Staff Training

According to the President's Commission on Law Enforcement and Administration of Justice, training is one of the most crucial needs in the system. The Commission has observed:

> "Changing corrections into a system with significantly increased power to reduce recidivism and prevent recruitment into criminal careers will require, above all else, a sufficient number of qualified staff to perform the many tasks to be done."[36]

As stated in Chapter III of this Report, one of the major concerns of the jail staff was the lack of opportunity for training. While 35% of the jail staff had completed at least 2 years of college, most of them reported little or no opportunity to receive training specifically for the various correctional roles they fulfilled. In fact, as stated elsewhere in this Report, even the jail administrators felt a sense of isolation from the mainstream of correctional efforts, and did not know what sorts of programs and staff existed even in neighboring counties. There is little doubt of the need for in-service training for all staff in county jails. In addition, sheriffs should encourage and make provisions for their jail staff to visit other correctional operations, both State and county. There should be a free exchange of ideas, problems, and programs, in corrections and detention, as there is in the detective and narcotics divisions of most counties.

Recommendation. 17. Correctional administrators should make provisions for at least supervisory and administrative corrections staff to visit other correctional operations at both the State and county level for the purpose of staff and program development.

XIV. DIVERTING INMATES FROM THE JAIL

Although the issue of intake is technically not within the scope of this study, it has become apparent during data collection that the presence of vast numbers of inmates in jails, including a high percentage of unsentenced inmates, materially decreases the amount of limited resources which are available to those persons who are clearly the subject of this study--namely the sentenced offender. It is the view of the Jail Task Force that services to sentenced inmates could be substantially improved if efforts were made to reduce the overall jail population.

It is suggested that jail populations could be drastically reduced and services to sentenced inmates greatly improved if counties were to make greater use of O.R. programs, citations, sentence modifications, county parole, and work furlough. In addition, as stated previously, alcoholics and other persons who do not pose a serious threat to the community, should be removed from the jail population.

Recommendation

18. Counties should develop and expand programs aimed at minimizing confinement in jails, such as O.R., use of citations, sentence modification, county parole, and work furlough. They should also implement non-criminal processing of alcoholics and other types of persons who do not pose a serious threat to the community.

FOOTNOTES

[1] *Municipal Police Administration* (Washington, 1969), p. 288.

[2] President's Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society* (Washington: U.S. Government Printing Office, February, 1967), p. 178.

[3] Board of Corrections, *A Study of California County Jails*, State of California (Sacramento, April, 1970), p. 85.

[4] Board of Corrections, *The County Jails of California: An Evaluation*, State of California (Sacramento, June, 1957), p. 95.

[5] Board of Corrections, *A Study of California County Jails*, *op. cit.*, p. 39.

[6] Interview with Mr. Ronald Beattie, Chief, Bureau of Criminal Statistics.

[7] California Department of Justice, *Criminal Justice Information System - 5 Year Implementation Plan* (Sacramento, May, 1970), pp. 31 and 49-52.

[8] California Department of Justice, *Adult Criminal Detention*, Bureau of Criminal Statistics, (Sacramento, 1970).

[9] M. Robert Montilla, "Opportunities for Action Research", *Journal of Research in Crime and Delinquency*, Vol. VI (2), July, 1969, p. 127.

[10] Board of Corrections, *Report of The Committee to Study Inspection of Local Detention Facilities*, State of California (Sacramento, December, 1969).

[11] Board of Corrections, *Minimum Jail Standards*, State of California (Sacramento, November 1963; reissued June, 1969).

[12] Board of Corrections, *Report of the Committee to Study Inspection of Local Detention Facilities*, *op. cit.*, p. 77.

[13] *Ibid.*, p. 172.

[14] *Ibid.*, pp. 79-82.

[15] *Ibid.*, p. 171.

[16] Bureau of Criminal Statistics, *Crime and Delinquency In California, 1969*, State of California (Sacramento, 1970), p. 137.

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Footnotes

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CORRECTIONAL SYSTEM STUDY

PRISON TASK FORCE REPORT

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SUMMARY OF RECOMMENDATIONS

The numerous specific recommendations of the Prison Task Force, underlined throughout the text, are summarized here.

INSTITUTIONAL CLIMATE

1. *Insofar as possible, prisons should duplicate the demands and responsibilities of the free world, and should supply the motivations as well as the responsibilities of the general community.*

2. *Any future facility planning should emphasize efforts away from large institutions, and current efforts at prison management should devote more attention to the effect of large institutions upon the social relations among various types of inmates, and the social distance between inmates and staff.*

RECEPTION AND CLASSIFICATION

3. *The reception process should be shortened from the current period of six to eight weeks, to a period of approximately 30 days.*

4. *The reception and diagnostic process should be shortened and revamped, to include a systematic "follow-up", which would determine whether or not the recommendations of the reception process are carried out. Also, in the revamping of the reception process, there should be more definite separation of young offenders from old, and the less criminally oriented from the more sophisticated.*

5. *Efforts should be made throughout the system for a more differential allocation of institutional population based on program need. A careful typological analysis of the prison population and a thorough review of classification practices and policies should be undertaken in an effort to effect better institutional placement.*

6. *Efforts should be taken to coordinate more closely institutional programs with parole planning.*

EDUCATION

7. *The educational programs within the prisons should be strengthened, in order to create a "climate for learning". In this respect, inmate students should be paid a nominal sum comparable with prison industry scales, at a rate contingent upon their individual progress in education. Two or three hours of evening school should be available for optional participation in every institution. The use of newer educational techniques, methods and materials should be expanded. A resource center should be established from which a wide variety of*

instructional and informational materials could be distributed. Educational television, including closed circuit television, should be developed. The Department of Corrections should explore the use of nearby schools and their resources for certain prisoners who can safely be released to such schools. Vocational training equipment and facilities should be improved. Job training values of prison industrial and maintenance operations should be studied and exploited by development of training programs or integration with present vocational training. The vocational courses taught in each institution should be reevaluated and there should be routine follow-up of prisoners who receive vocational training, with the data acquired during the follow-up used in the guidance of the prison training programs. Greater enrollment in education programs should be encouraged.

TREATMENT PROGRAMS AND SERVICES

8. *Efforts should be made to make available ready access to counseling and familiarity with the counselor for those inmates anxious to have such service.*

9. *The counseling staff in each institution should be increased toward the recommended American Correctional Association ratio of one counselor for every 150 men.*

10. *Less time should be devoted by counselors to the preparation of reports for the Adult Authority. Consideration in this respect should be given to the possible use of pre-coded "check-off" forms, such as are presently used in the States of New York and Washington.*

11. *Additional beds and staff should be made available for the psychiatric program, and more realistic and competitive remuneration should be made available to clinical personnel.*

12. *Distinctive facilities for religious worship should be provided in all institutions.*

13. *Some institutions should be provided with better and greater library space, and the number and quality of the books should be supplemented.*

14. *Gymnasiums should be available in all institutions and a larger number of organized and supervised group recreational activities should be developed.*

INMATE WORK AND CORRECTIONAL INDUSTRIES

15. *The work furlough program should be expanded.*

16. *Each institution should undertake manpower utilization studies of inmate work forces.*

17. *The inmate wage scale should be revised upward.*

18. *Additional markets should be sought for California's prison industries program.*

19. *All expansion of prison industries to new markets should be concentrated in industries which need operations and skills similar to those required in free world employment.*

20. *The Correctional Industries Commission should be renamed the Correctional Industries and Training Commission and its membership should be expanded to include two experts in the field of vocational training, the Chancellor of the California Community Colleges, and the California Superintendent of Public Instruction, or their designees.*

21. *The Department of Corrections administration should indicate full support for prison industries, and should more closely integrate industrial operations with the total institutional programs. More involvement of industry's personnel is needed in each institution, especially in major decision-making committees. Training programs should include industrial and non-industrial personnel. All industrial and other personnel must agree that assignment to industries should be made primarily on a basis of inmate needs, and inmates assigned to industry should be expected to work approximately eight hours a day at a good pace. Training consideration should be given greater priority by prison industries.*

CUSTODY, SECURITY AND DISCIPLINE

22. *In certain institutions, consideration should be given to the use of "closed circuit" television scanning as a means of maintaining surveillance, in which case some gun towers within the compound could be eliminated or manned only in emergencies. Consideration should also be given to the razing of some unneeded structures which now appear to impair vision of staff.*

23. *Consideration should be given to the possible reallocation of staff and redesignation of shifts to provide greater staffing during critical daytime hours.*

24. *In those instances where chemical agents must be used to restore order, consideration should be given to the use of mace instead of gas.*

25. *In those instances where an institution's arsenal is sub-standard, it should be modernized.*

26. *In those institutions which have archaic sally ports, electrically operated gates should be provided. Also, new cell-locking systems should be installed to replace those systems which are now obsolete, and inmates should be removed from any gate assignment which involves them in security-sensitive positions.*

27. *The method of taking count in California prisons should be updated and the "total count" method should be discontinued.*

28. *Riot control plans at all institutions should be reviewed and rehearsed.*

29. *Insofar as possible, inmate rule violations should be handled by the line officer and supervisor. If the matter is serious enough for referral to the disciplinary committee, the committee should still have the authority after hearing the case, to withhold the report from the offender's official prison record. Whatever the disposition, the inmate should be advised.*

30. *The maximum time for which an institution can assign isolation should be reduced to ten days. Any period of inmate isolation beyond ten days should require the Director's approval.*

31. *In respect to adjustment center programs, the Director should issue a new policy statement, giving renewed emphasis to the importance of developing and using alternatives to long-term lock-ups. The Department should initiate a special, intensive orientation and training programfor all personnel regarding this issue. The wardens and superintendents should screen the cases of all men housed in adjustment centers to determine if any alternative placement is possible. The Director's office should review the recommendations. Initial placement in the adjustment centers should not be made without the approval of the warden or the superintendent. The Institutional Disciplinary Committee should submit a factual report to the warden with corroborated evidence where possible, and rationale for the recommended action. Inmates should have the right to a hearing before the committee within three days of the report. Staff representation on behalf of the inmate should be tried. Every 30 days the Disciplinary Committee should review each adjustment center case, at which time the inmate should appear before the Committee. When an inmate is detained beyond 30 days, the Director's office should be advised and the case should be reviewed in the central office. The Disciplinary Committee should have the authority to release men from the adjustment center at any time. In the interest of efficiency, the size of the committee should be reduced to three persons with the program administrator acting as a member of the committee. The original concept of the adjustment center should be restored by increasing treatment efforts in all of these facilities. Adjustment centers should be closed if the number of men housed in them is reduced. It is conceivable that some of the units could be used for regular housing, after a thorough physical revamping.*

INMATE CARE

32. *Prison clothing regulations should be liberalized to permit inmates to wear civilian clothes.*

33. *Full and complete censorship of mail should be abandoned in favor of spot-type censorship, or some other modified form of censorship.*

34. *California Department of Corrections' generally liberal visiting arrangements and schedules should be extended to all institutions.*

35. *Family or conjugal visiting, now offered in some institutions, should be expanded to all institutions.*

36. *Telephone arrangements which permit collect calls to family and friends should be installed in more of the housing units in selected institutions.*

37. *The Department of Corrections should move firmly in the direction of eliminating all double cells.*

38. *The Department should consider a systematic program to enhance the esthetics of the institutions.*

39. *Cooperative and collaborative relationships between staff and inmates should be developed as much as possible whenever this is at all compatible with other prison functions.*

SUPPORTIVE SERVICES

40. *The central office should play a more prominent role in determining who is to be trained and what the content of the training courses should be, and also to insure that they are adequate at all institutions. More training should be developed for other than custodial personnel. Ideally, there should be State coordinated correctional training centers established to provide year-around comprehensive programs to train all correctional workers and administrators.*

41. *Responsibility for recruitment of minority persons should be fixed in one person at every institution.*

42. *The Department should consolidate its hospital services. A plan should be developed to replace some of the hospitals with dispensaries so that when geographically feasible, some hospitals can serve several institutions.*

43. *When possible, community hospitals should be used in emergencies or as the need arises.*

44. *The Department should utilize funds from the Department of Vocational Rehabilitation to improve the quality of medical services, especially in the area of prosthetics, correctional surgery, and diagnostic evaluation.*

45. *The Department's existing "unit records" type system should be replaced with the computerized information system which emphasizes program type data for management purposes. Such a system should be designed to include follow-up data along with current data on programs and offenders, so that separate programs may be evaluated as to their relative effectiveness for different types of offenders in the long-run. Cost effectiveness estimates of the long-run economic consequences of specific programs for different types of offenders should also be undertaken.*

46. *Some funds should be devoted to experimental pilot programs; the possibility of Federal monies for this kind of effort should be explored.*

ADMINISTRATION AND ORGANIZATION

47. *More specific and definite department-wide standards need to be implemented in certain areas. Policy statements should be reviewed and written in a clear and concise manner to eliminate ambiguities.*

48. *Within the Department, the lines and responsibilities of administration should be simplified.*

PHYSICAL PLANT

49. *The California* Men's *Colony, West Facility, should never be reoccupied.*

50. *San Quentin Prison and Folsom Prison should be abandoned.*

51. *In the event California builds more State institutions, these should as far as possible be small, community-based facilities (e.g. community correctional centers). The Department should also explore further contractual arrangements with private persons and social agencies, such as the Y.M.C.A. and the Volunteers of America.*

LENGTH OF CONFINEMENT

52. *The State should reduce the length of terms served by persons committed to the Department of Corrections.*

"....Prisons in America have done far better at postponing crime than at preventing or deterring it."

Newsweek Magazine

CHAPTER I

INTRODUCTION

The last recourse of any correctional system, other than the death penalty, is imprisonment. California today has more prisoners than any other state, reflecting the fact that in most of the past half-century it has been a leader among the states in both population growth and crime rates. Presumably its high crime rate is a product of this population growth, for mixed with its stable and law-abiding newcomers has been an above average proportion of delinquents, criminals and others unsuccessful in older communities who sought "greener pastures" here. The newness of many California neighborhoods has also been criminogenic, for they are clusterings of strangers, with more anonymity and less informal social control than characterize long-settled communities of stable population, such as those of non-metropolitan New England.

California's penal system has not only had a rapid development for several decades, it has also had a national and international reputation for program innovation. Nevertheless, this State's prisons, like those everywhere else, have repeatedly frustrated and disappointed both their administrators and the general public.

Information for this study, to evaluate California's prisons and recommend changes, came from a number of sources. Most important were site visits made to all major institutions of the Department. In these visits approximately equal time was devoted to interviews of assembled staff and to inspections of the facilities. In the group interviews a cross section of virtually every staff component was included. On the inspection tours employees encountered in each area were interviewed individually concerning the practices and programs at their respective institutions. The group discussions were characteristically open and informative. In each discussion some sixteen program and problem areas were routinely covered, and staff were asked to volunteer their own perceptions of additional problems and priorities.

After the visits, written questionnaires were sent to each institution to elicit more formally quantified data on program enrollments, custody levels, lengths of stay, staff training programs, and other areas where it was considered important to verify interview data, obtain more current status information, or get exact counts in verification of published data.

An additional segment of the study involved interview of some randomly-selected 325 inmates to obtain their views of the problems and needs of the system. The views of ex-offenders were also solicited.

Interviews were conducted with central office personnel to obtain top administrators' views of priorities and long range plans, as well as to secure information on central office administrative functions.

Finally, a review of the current literature on the California Department of Corrections was made. This included departmental publications and research as well as legislative research and some criticisms of the Department disseminated by outside groups.

Data from all of these diverse sources are presented where they are relevant to a particular prison management topic, instead of being collated separately by source. The rationale for recommendations is presented, including all available sources of insight, rather than relying on any single source of data-questionnaires, for example--which would be procedurally neater. While recommendations reached in this way are in part judgmental, the most plausible inferences from available evidence must be relied upon, whenever there is no indisputable scientific data on an issue.

In summary, this Report endeavors to list the objectives of a sound prison system, to explain how California attempts to meet these objectives, and how, finally, these objectives could be better accomplished. Specific recommendations are underlined throughout the text.

CHAPTER II

THE MULTIPLE GOALS OF PRISON OPERATION

All components of criminal justice, including corrections, have one ultimate mission: to reduce crime. The prisons component is expected to contribute to this aim by pursuing three goals: (1) deterrence of the potential offender; (2) incapacitation of the dangerous individual by removing him from the community; (3) reformation of this individual prior to his release. A fourth function often demanded is satisfaction of the public's passion for revenge. Though pressures for retribution often cannot be ignored, satisfying public indignation does not contribute to crime reduction. The first three goals, therefore, are the concern, with the fourth viewed as an occasionally unavoidable constraint in pursuit of the first three. Society places two additional constraints on the pursuit of these goals which cannot be ignored: prisons must be operated economically and humanely.

All penal policies should be examined in terms of their consequences for these goals and constraints, but it must be recognized that there may be conflicts among these objectives and restrictions. Often one concern cannot be met without jeopardizing others. Each goal must be recognized but none overemphasized at the expense of the others. A few comments on general issues and major problems surrounding the achievement of prison goals will serve as a background for later recommendations.

I. THE GOAL OF DETERRENCE

Deterrence is often said to be a goal of imprisonment. It may be divided into general deterrence, to keep all those who contemplate committing a crime from trying it, and individual deterrence, to keep a person who has committed a crime and been caught from doing it again. While prison doubtless deters some potential offenders, general deterrence is difficult to measure. Estimates of the general deterrence potential of prisons are unreliable and doubtlessly exaggerated.

Since not many of the felonies committed result in the perpetrators going to prison, it is a wonder that some persons have great faith in accomplishing general deterrence by long prison terms. Legislation has been introduced in California and elsewhere, some of which has been passed, to deal with various outrages by long mandatory prison sentences. Experience everywhere has shown that unusually long sentences do not reduce the crime rate, and in fact might result in its increase. While there is no question that prisons have some general deterrent value, it is also obvious that if a man believes he will be sent to prison for an act, he will usually either: (1) not commit the act, regardless of whether he expects his time in prison to be one or two years or ten or twenty, or (2) be so out of control that he will commit it regardless. Both of these circumstances are common. A robbery usually occurs because the offender believes that he will not be caught, much less sent to prison. Clearly, the length of the sentence he does not expect to serve is no deterrent. Most murders are committed in a rage against close friends, spouses or other kin; the murderer makes no attempt to flee and has clearly not considered the punishment which may result from his crime.

The use of long prison terms to decrease crimes by deterrence of other people is clearly unrealistic. It is implicitly based on a model which presumes that the offender balances how long he will be in prison against the expected rewards of his crime. This model is a fantasy. If a potential offender thinks about the prospect of imprisonment, it is usually of the risk of any appreciable term; he considers the probability of imprisonment much more than its duration.

It is not suggested here that prisons have no general deterrent value. Penalties do deter up to some optimum point of severity for general deterrence purposes, for the particular offense and type of potential offender. If no one ever went to prison or jail and even the most serious offenses resulted only in fines or in probation, it would doubtless encourage a small minority of the general population to engage in crime that they would otherwise not contemplate if penalties were more severe. The point stressed here is that there is no reason whatever to expect long prison sentences to be more effective than moderate ones in deterring most people from trying crime. If the fact of imprisonment is reasonably certain, a one or two year sentence will be sufficient to deter nearly everyone from almost any unlawful act that is deliberately conceived. Prison sentences, no matter how long, are ineffective for acts perpertrated in such passion that there is little deliberation about their consequences. If the very long sentences found in California are to be justified, they must be justified on grounds other than general deterrence.

Individual deterrence, the released prisoner's avoidance of crime from fear of reimprisonment, differs from general deterrence and is especially difficult to measure. Investigation suggests that individual deterrence varies greatly among prisoners, depending upon their adaptation to incarceration and their preoccupation with the outside world. While almost all prisoners want to get out, some are highly involved in their daily pursuits within the institution, have little contact with persons on the outside, and do not seem to think much about the outside. Others are absorbed in thoughts of their outside world and are always "doing hard time". Those deterred work hardest at trying to get out early by participating in rehabilitation programs in order to impress the parole board favorably, whether or not they have other interests in these programs. One cannot know how much of inmates' post-release avoidance of crime is due to deterrence and how much is the result of rehabilitation programs. On the other hand, dreams of success at crime may also motivate a few prisoners in the avid pursuit of rehabilitation activities in order to impress parole authorities favorably. Therefore, inmate recidivism occurs in spite of apparent rehabilitation and presumed deterrence by imprisonment. Society is left with incapacitation as the one goal of imprisonment for which attainment is unambiguously measureable.

II. INCAPACITATION BY REMOVAL FROM THE COMMUNITY

The second goal listed for prisons was the incapacitation of dangerous individuals by removing them from their potential victims. Some men commit serious crimes and remain dangerous for a long time, as efforts fail to change them. This category includes both persistently violent men and highly professional property offenders. For some people of this sort, prisons are the only answer available, and for a few, a long term may be appropriate for the purpose of incapacitating them. It should be noted, however, that it is expensive to confine very many for very long, and few require it. Much of the cost of the California prison system results from its use of unusually long sentences. If rehabilitation were accelerated, incapacitation could be briefer, and if rehabilitation is impeded by some forms of incapacitation, perhaps alteration of these forms will be desirable. That will be a later concern of this discussion.

III. THE GOAL OF REHABILITATION

There has been much criticism of prison systems in California and elsewhere for alleged failure to rehabilitate. While improvements in this area are needed, it is important to recognize intrinsic difficulties surrounding the entire rehabilitative enterprise in prison. Four of these constraints are discussed in this section.

The Limited Impact of Prison

The prison system has a limited scope of impact. There are limits to the extent that it can affect the outside community where the offender's problems are generated, and to which he must return. In prisons one frequently observes great improvement in the behavior traits presumed to have been the cause of an inmate's crime--such as low interest or capacity in work, or emotional instability--only to see these traits recur during parole in the community. Both recidivism and rehabilitation are functions of social influences not operating exclusively in prison. It is comfortable to fault the prisons for recidivism rates, but to do so may show a failure to understand the problem fully.

Prison Compared with the Community

Prisons, especially as large as those found in California, make demands upon behavior different from those made in the community. The environment, the pace, the sources of social status and of self-satisfaction, are different from those on the outside. It is difficult to find enough work to keep prisoners busy. Many learn how not to work rather than how to work, and they do not participate sufficiently in the decision-making on matters which directly affect their lives. There are almost irrestible pressures to conform to the inmate value systems, and institutional necessities force other conformities. While these forces cannot readily be eliminated, they can be ameliorated and sometimes made supportive of rehabilitation, rather than opposed to it. Nevertheless, the best place to prepare a man for responsible community life is in the community. It is a mistake to bring him to prison if that can be avoided. If he must be imprisoned, it is appropriate--even in prison--to maximize his contacts with those aspects of outside community life which will contribute to his rehabilitation.

Characteristics of Prison Inmates

The men coming into prisons have deep and ingrained problems which resist change. It is widely claimed that those now sent to prison present worse problems for rehabilitation than those sent there formerly, because the better risks are increasingly given probation and not sent to prison. A look into the files of any California prison reveals that almost all who are committed there have records of extensive prior criminal involvement. These are mostly persons about whom there was despair while they were still in grade school, and continually thereafter. It is unrealistic to expect wholesale reformation of those who pursued crime so early and for so long a time. To say that forty percent or fifty percent or any percent is a high failure rate with such a population is pointless. High compared to what? No one can say what is a "good" recidivism rate. Some prison systems around the country report better success rates than California's, but many of their successes are with men who should not have been in prison in the first place, and would not have been in prison in California. Furthermore, according to the FBI's Uniform Crime Reports, California has the highest rate of serious crime of any of the fifty states. Recidivism, therefore, must be reduced in a highly criminogenic community population. The assessment of California's prison system with respect to its recidivism rates must be made on the basis of what the system is doing with its cases. Internal statistical comparisons can be meaningful, but system-wide, overall rates should not be used pejoratively.

Lack of Information on Program Effectiveness

The behavioral sciences have not presented the prison administrator with any array of rehabilitative techniques that is consistently effective. Ideally, correction must always be a research enterprise, operated so that knowledge is gained from its experience. A major concern of this system study, therefore, is to increase the ability of prison management to learn quickly and validly from its failures as well as from its successes.

Summary

These difficulties are listed in order to put the problem of rehabilitation in California prisons in proper perspective. Discussions of rehabilitation often overlook these considerations and are therefore naive. The public tends to assume that progressive prison programs with their onward and upward cast do, in fact, move all men onward and upward and that all is well; or else it looks a little closer and discovers that all is not well and it rejects the whole enterprise. If people can be brought to see the difficulties of the task realistically, they might settle for modest gains and be more supportive of attempts at improvement.

California has done an excellent job over the years in correcting the public image of prison goals as purely punitive. The emphasis of its public information efforts has appropriately been placed on rehabilitation. The importance of rehabilitative effort can hardly be overemphasized. However, the result has also been to oversell everyone--including correctional professionals--on the real or perceived rehabilitative efficacy of prisons. It is time to correct that impression. It is not clear, rehabilitatively speaking, whether prison operations are an overall gain or a loss. Those who claim to know the answer never give impressive evidence. Anyone with correctional experience is convinced that he personally knows men who were reached by prison programs. He has seen the free world dropout catch fire in the prison school, finish high school inside, and go on to finish college outside. And he has seen the man with a long criminal record and no apparent motivation to change get caught up in a trade course and become a journeyman and a solid citizen on the outside. Some of these successes might not have happened without the prison programs. But in more cases, no observable change occurs, or inmates leave prison less suited for society than when they came in. That is why it is not clear whether prisons have, on balance, a net rehabilitative effect.

From these facts some observers conclude (and this thinking apparently lies behind some of the reports to the California Legislature) that prisons should virtually be eliminated. A more realistic conclusion would appear to be that while their use should be minimized, prisons cannot be abolished. Whatever the overall rehabilitative effect, there are many men who pursue crime until they are arrested; nothing encourages repetition of an offense as does success in benefitting from it and not being caught. Often they do not require long confinement. But whenever a period of incapacitation is warranted, everything possible should be done to foster rehabilitation during confinement, as well as afterwards. To make this effort is a social responsibility. An appropriate analogy would be to medicine's concern with each individual patient, rather than business' concern with overall or aggregate success or failure rates. A business is a failure if it loses one dollar more than it earns, but men succeed or fail separately, and there is no aggregate break-even point in helping them. If nine of ten succeed, society has still lost one; if nine of ten fail, the one who succeeded because of the system's effort has no less value.

IV. PRISON TREATMENT AS THE TOTALITY OF ITS IMPACT

When staff members of California prisons are asked what the major rehabilitative features of their institutions are, they respond with a catalogue of specific treatment programs, such as academic education, job training, and counseling. This is a predictable response because these programs are labeled "rehabilitative". There is a natural tendency to feel that to the extent that an institution has such programs, it is mounting a meaningful rehabilitative effort, and to the extent that it lacks them, it is not. But one should not be misled by such labels and categories.

Admittedly, for purposes of administration, the system must divide its operations into parts. While some parts carry the treatment label and some do not, to the inmate imprisonment is all one epoch in his life. If what happens to him ultimately is a consequence of prison programs, it reflects the net effects of all attentions given him and and all failures of attention during his confinement. The system may reach a man in the counseling group and lose him in the yard; elevate him in the school and crush him in the block. The system may reach him in the block, too, as research has shown. All prison experiences either add up, or fail to result in rehabilitation. Thus, all practices should be examined for their impact on rehabilitation, and not just programs specifically labeled "treatment". This is particularly true in California where excellent programs are sometimes established under circumstances almost certain to subvert their positive effects. Reference is made especially to the physical situations in which men are placed, and to the matter of excessive sentence lengths. If programs labeled "rehabilitative" have not worked in the past, it may be because their effects were nullified by these conditions.

In California, as elsewhere, educational programs are the mainstay of treatment programming for most inmates. Most men coming into California prisons have significant deficiencies in employment skills and in school performance, so the efforts to instruct them have real justification. Yet it is becoming increasingly apparent that programs aimed solely at improving abilities, such as job training and academic instruction, will not guarantee the inmate's use of these abilities to achieve a law-abiding life outside the prison. To an extent which varies tremendously with different offenders rehabilitation may require the diminution of attraction to crime as a source of income, the development of confidence in ability to succeed at legitimate occupational pursuits, the growth of ease and enjoyment in previously unfamiliar or unconfortable types of social situations, or the control of hostile passions or of alcoholic, narcotic, or sexual appetites. All of these problems for correctional concern, and educational or vocational deficiencies, are distributed somewhat independently of each other in the diverse population with which the prison must work.

If attempts to correct the causes of recidivism are to succeed, two conditions are needed which are notably lacking in contemporary penal institutions:

1. So far as possible, prisons must duplicate the demands and responsibilities of the free world, and supply the motivations as well as the responsibilities of the general community.

2. It is essential for staff to get to know the man. Large institutions are unable to achieve this. Any future planning of facilities should give more serious attention to the question of size. Current efforts at prison management should have a clearer understanding than heretofore, of its effects on the social relations among various types of inmate, and the social distance between inmates and staff.

Ultimately it is the way inmates are treated--no more, no less than that--which is most important. It is useless to put people in a particular program which is meant to reform them if they are not treated as worthwhile humans in general. For convenience of uniformity, for administrative simplicity, for a host of dubious advantages, the whole effort can become a sham. To the inmate this amounts to hypocrisy implemented. It must fail. But what does "the way people are treated" mean? Primarily it means that the system must treat men as worthwhile individuals wherever possible. This seems a truism--that people be treated with personal interest in them as humans--but some prison practices militate against this and these practices could be eliminated. Of course, an institution cannot operate completely differently for each man. Many inmates make neurotic and unreasonable demands, and some standardization can be justified for fairness and efficiency. But wherever possible, individuality should be allowed. Uniformity is sometimes a necessity; it should never be made an ideal.

Further, if a system exists where institutional housing is not fit for humans, where the weak cannot be protected, and where the duration of confinement is too long, then it cannot change men. If society is to change those whom it confines, the prisons must simultaneously make more or better demands on their inmates and give them more incentives to meet these demands than has ever been done in the past. First of all, however, it must be ascertained that society has an adequate moral and ethical stance from which to make these demands. This cannot exist until the system treats people as it should in all respects.

The above points are intended to establish a more realistic picture of prospects and problems in achieving rehabilitation. If it is accepted that, despite its difficulties, the job must be attempted, it is time to turn to some of the more specific issues which are involved in getting the job done more successfully in California.

CHAPTER III

CURRENT CONDITIONS AND RECOMMENDED IMPROVEMENTS

The Department of Corrections has published excellent summary descriptions of its institutions and their operations. There is little to be gained by reporting them here. This chapter will discuss only those features which seem most relevant to enhancing achievement of correctional goals.

The administrative and operative structure of the Department is not neatly divided according to its goals, as it is not desirable to have one set of staff whose sole responsibility is rehabilitation, for example, and another whose only concern is keeping people confined. Such a separation, where practiced, has usually resulted in friction among staff and in failure to meet the goals. The responsibilities for achievement of all prison purposes needs to be shared to a considerable extent by all staff, although emphasis on different goals will vary from one part of the prison organization to another.

Of the three major goals named earlier, deterrence may be excluded here. Prisons deter by their existence, not by their techniques. No staff or operations are assigned to this function.

The two remaining goals have at least rough structural counterparts. The institutions have separate treatment and custody staffs with respective major responsibilities in rehabilitative programming and in keeping dangerous men incapacitated. In practice, these staffs have other functions as well, but these are the two primary functions to be discussed here.

I. THE REHABILITATION SERVICES

To achieve the rehabilitative function of prisons, California has relied mainly on what may be called traditional correctional treatment programs (which still do not exist in many state systems). These are: vocational education, academic education, counseling, religious instruction, self-help organizations, psychiatric treatment and work activities. These are the mainstays of what is commonly regarded as the rehabilitative effort, although other programs--such as recreation, medical services, and hobby activities--may also have some rehabilitative value and are important for other reasons.

These programs are present to some extent everywhere in the system. All major institutions and many camps have some trade training, some academic schooling, and some group counseling. Psychiatric care is not so extensively available, primarily because of the cost, the difficulty in securing psychiatrists, and because a majority of inmates do not need psychiatric attention. The mixture of programs varies. Walled prisons place less emphasis on treatment-designated programs than do other large institutions, and the facilities for young inmates provide greater access to trade training than is available at those housing older inmates. But in many respects the difference among institutions is one of rather small degree. Some programs could be developed more adequately if more concentrated in specialized institutions, instead of being distributed almost equally to all facilities. The number of institutions in the California system allows for such specialization in considerably greater degree than is practiced at present.

The above are the treatment programs in which most inmates may become involved. The major ones will be discussed in detail later in this chapter. Emotionally disturbed inmates, those with medical needs, narcotic addicts, and other special problem cases receive other forms of treatment of varying degrees of adequacy, for their particular problems. Not all those needing psychiatric care can be accommodated in the facilities presently devoted to that purpose, however, and even with the large number of academic and vocational classes, the majority of inmates needing and desiring these programs at any given time are not receiving them intensively. Most have work assignments which make only limited demands, with little challenge and regard for good performance. In some cases, idleness continues to exist. Many who have completed a trade course, and who are not interested in further academic work, perform routine and unskilled work for the balance of a three or four year term. It is, in fact, difficult to see how they could otherwise occupy their time. This is not primarily a problem of lack of treatment programs, but simply that the rehabilitative enterprise neither needs nor can use all the time it has to fill for many cases in California.

II. MEETING THE INCAPACITATION GOAL

The responsibility for keeping those inmates judged to be dangerous to the community from escaping--one of the major functions of prisons--is centered in the custody staff. Yet this is not the major responsibility of most of these employees in terms of time or effort. Perimeter security is not especially difficult to maintain for most inmates. The effort expended by custody is primarily aimed at the maintenance of internal order and safety. These conditions really contribute more to the rehabilitative goal than to security of the outside community, since safety and order are preconditions for rehabilitation, as well as serving humanitarian requirements.

So far as specific measures dealing with the incapacitation goal are concerned, the system has five broad levels of security ranging from "maximum" to "camps", there are also subdivisions within these categories. The distribution of felons among the major levels (as of June 30, 1970) was as follows:[1]

Maximum	1.3%
Close	2.4%
Medium	55.9%
Minimum	29.1%
Camps	11.3%
	100.0%

Most escapes are from minimum or lower custody levels. While the escape rate for the system as a whole is not high compared with the rate in some other states--less than one per hundred in residence per year--the rate from camps and more especially from community centers, work furlough and weekend furlough settings runs high. For these, the escape rate is from five to twenty times the average for the system, or higher than for similar settings in other jurisdictions. It is not clear why this should be, but two conjectures may be offered. The long sentences may lead to a kind of accumulated deprivation which seeks release at the first opportunity (especially for those who do not have an out date from the Adult Authority); or, it may be that qualifications for camp placement are not primarily factors relating to escapes, so that the best risks are not placed in camps. But this is purely speculative and beyond the scope of the present report. In general, the goal of isolation of offenders from the community seems to be accomplished by present measures. While there are a fair number of walkaways, they are from settings not made available to the most dangerous types, the walkaways have not contributed measurably to the State's crime problem.

III. RECEPTION AND CLASSIFICATION

Initial classification consists of diagnosis and subsequent placement recommendation. Though not a treatment process itself, classification is essential to the effective application of treatment, since it attempts to determine which programs are needed by each person. It also gives an indication of the degree of custody required for each person, and this has bearing on the available treatment options.

Classification procedures must be as discriminating and sensitive as treatment and custodial programs are diversified. The California system has a relatively wide range of programs. For this reason, accurate diagnosis is essential to insure that programs are efficiently used.

Classification procedures should not defer entirely to the available options. Classification recommendations which cannot be followed reveal types of additional correctional programs which are needed, and are thus valuable indicators for progress and change.

Reception

The reception process should be shortened. When the courts commit a person to a penal institution, he is first sent to a reception center or housed in the receiving unit of a prison for a short period of time. In California this runs from six to eight weeks, which is more time than is actually needed. All tests and examinations can be completed in a thirty-day period or less for a new inmate, and still less for a returned recidivist on whom frequently there is ample recent information on file. Upon completion of the initial classification study, transportation problems are often encountered. Every effort should be made to solve these problems by a regular schedule of adequate interprison busses, properly guarded. At the women's institution there is no sound reason why the new admissions cannot be transferred to the adjacent main institution after a brief reception period, even though the evaluation is incomplete. The women will go only to this one institution. From the fifth week on, there is virtually nothing of a constructive nature to occupy the new admissions in the reception centers and it is especially important to start them on their institutional programs.

The whole reception and diagnostic process in California prisons needs shortening and reworking. In many Federal prisons an Intake Screening officer often recommends a full program for a new inmate within a few days of his reception. Some follow-up study then occurs soon after the inmate is on initial assignment, where he can be observed in situations more comparable to his future institutional stay than is his life in the reception center. Delaying assignment pending in-depth study occurs in some cases, but only where unusual need for it is indicated by the Intake Screening officer.

The recommendations of the reception-guidance center should be followed up systematically to see if they are carried out, and if not, why not. At present, no routine check is made to determine what happens to the program recommendations of the reception-guidance staff. Regular determinations of how the guidance center's recommendations are actually carried out should reveal deficiencies in the staff reports, in the institutions, or both. The recommendations sometimes appear to be made without full knowledge of the programs available. Assignment to a particular prison often seems to be made more on the basis of institutional job needs and vacancies than on inmate need. This is partly justified in the institutions by the fact that recommendations from the reception-guidance center are often sketchy, specifying little more than custody level. In some cases there is no clear connection made between the social-psychological data obtained by tests and interviews and the recommendation, if any, for treatment. This limits the usefulness of the reception center reports to the receiving institutions. In the reception centers, there should also be a more definite separation of young from old, the less criminally oriented from the sophisticated.

Composition of the Prison Population

Whether there should be a more or a less homogeneous population in a penal institution, aside from reception centers, is often a complex question, on which experts may reasonably disagree. The fundamental law of sociology and social anthropology is that social separation produces cultural differentiation. This means that people in separated groups become homogeneous in cultural traits, and different from people elsewhere. That law explains not only why there exist separate languages and cultural beliefs in the world, but also why young offenders, addicts and other prisoners of similar background tend to preserve and accentuate their shared deviant beliefs when grouped together in an institution. It is also repeatedly demonstrated that to group inmate troublemakers within a prison is to ask for continual trouble from them. If possible, they should be dispersed so that each could be more readily controlled by being absorbed into a diverse group and by being placed in a program of maximum individual appeal.

Change in inmates' character, often rehabilitative but sometimes anti-rehabilitative, is most probable when they have close involvement and identification with persons of different background and even of different age from themselves. Conversely, reinforcement in their past types of criminal orientation is most probable when their grouping is only with persons of the same criminal background, age and area. Anti-rehabilitative impacts of some inmates on others can be noted and dealt with most readily by staff counseling when the worst inmates are scattered. Programs can often be most adequately staffed and equipped--whether for vocational training, education, psychiatric or other services--if inmates who need those programs, even if there is much diversity in their characteristics, are concentrated in one institution. Inmates there may then share constructive interests in the program. California prisons are relatively unspecialized, although their large number permits considerable specialization in programs.

Therefore, a greater effort to establish more differential allocation of institutional population based on program need throughout the entire system is indicated, and a careful typological analysis of the prison population and a thorough review of classification practices and policies could result in better institutional placement.

Institutional Programs and Parole Planning

Institutional programs should be more closely coordinated with parole planning. Ideally, parole planning should begin at the time of admission, i.e., in the reception center. This is not always possible but it is desirable. Too often no planning is initiated until a few days before the prisoner's release. This kind of hasty planning will inevitably have shortcomings.

Once a relevant, solid institutional program has been set up for an inmate, periodic reviews should be made to determine if the program continues to be pertinent to the man's community plans.

The earlier the field agent can become acquainted with the prisoner, his family and community situations, the better should be the results. Based on the agent's findings, it would sometimes be in order to change or modify the prisoner's institutional program. Direct involvement of the field staff would be helpful in another way. Feed-back from the field personnel should aid the institution in the improvement of its programs.

IV. EDUCATION AND TRAINING

It is almost a truism that today education is indispensable. Without it, a man may be virtually unemployable. With adequate training in an acceptable skill, his employment opportunity, at least in periods of full employment, has often been almost assured. While some persons without training who have good work attitudes and motivation will be employed, and often will be trained by employers (especially during periods of prosperity), it is still valid to assert that a trained person usually finds it easier to obtain a decent, well-paying job than an untrained one. Work skills aside, general academic education is a near necessity in meeting the complexities of daily life. Add to these facts the observation that a large percentage of men coming into prison are school dropouts, severely deficient in both specific and general training, and the importance of prison education programs becomes abundantly evident. Since prison provides ample time to be filled and a minimum of distractions, it should offer prisoners a maximum opportunity for educational advancement. For many inmates education also provides a satisfying and wholesome diversion.

Yet, despite the strong case which can be made for it, there is much to suggest that correctional education as presently constituted, has often been rather unsuccessful. The evidence grows that education for prisoners should be custom-tailored to their diverse needs, and that too much reliance has been placed in prison on a traditional educational approach designed for youth. What works in public schools in the community does not necessarily work in prison for adults of diverse educational backgrounds and with school a predominantly distant and unhappy experience.

Basic to success in correctional education are: (1) information about the inmate pupils and their individual potentials; (2) an awareness of the society from which the prisoner comes and the society to which he is going; (3) individualized instructional material; (4) incentives to educational achievement; and above all, (5) a "climate for learning". The climate to which reference is made is not merely that of the classrooms--it should be an attribute of the entire prison. An institution director and staff at all levels who encourage learning are not just adventitious products of recruitment; they must be assiduously developed. Such an institution climate calls for leadership and commitment from all personnel, in addition to patient teachers who can relate to prisoners and challenge and involve them. Without such a climate men "sleepwalk" through school. With it, once it is obtained, the institution is seen as a better place by inmates and staff alike.

In California, as in all large correction systems, the quality and type of education vary considerably from institution to institution. California's best is very good indeed. Many of the educational programs encountered are rich in opportunity. The scope of education available to most inmates is sufficiently broad, from training in literacy to the fifth grade level to high school and high school equivalency programs, as well as college correspondence courses. There is also a commendable amount of vocational education.

There are some 150 trade courses taught in Department of Corrections facilities, and these take from six months to two years to complete, the customary length being nine to twelve months.[2] Over 1,000 men are enrolled full time in trade courses with a slightly larger number enrolled on a half-time basis.[3] The variation in degree of sophistication required for different courses is good; the courses range from low skill to highly skilled levels. However, in some cases, especially at the largest institution, there are waits of six months or more to get into these courses. This is a major source of low morale and behavior problems among prisoners. If a program will challenge an inmate, he should be placed in it as soon as possible rather than be required first to achieve a record of good behavior in a waiting period during which he is placed with a concentration of inmates not in such programs, having poor behavior records, and pressuring him to misbehave. The waiting period is often a trap from which many prisoners fail to escape as they are no longer eligible for the potentially beneficial programs when the waiting period expires, or they have lost their motivation to participate in such programs.

Although full-time enrollment occurs less in academic than in vocational programs, more students take part-time academic programs, ranging from basic literacy training through high school level courses. Some college courses are also available, but mostly through correspondence.

In the interest of improving education and training for California prisoners, the following suggestions are made:

Inmate students should be paid a nominal sum, comparable with prison industry scales, at a rate contingent on their individual progress in education. This would encourage many to go to school who would otherwise prefer to take paid work assignments when their primary need is educational. Reimbursement of students will tell the inmate that the prison administration considers education as important as producing goods or services for the institution. It has been well demonstrated with individualized programmed education and tangible incentives linked to rates of unit completion that prisoners can experience success in schooling, often their first success, and several years of schoolwork completion in one year.[4]

Two or three hours of evening school should be available for optional participation in every institution. California has done exceptionally well in this respect. Yet there are still some institutions with no evening classes. Evening courses should not be a substitute for full-time education. Men who are tired from a day's work cannot absorb learning at maximum capacity. Evening classes, however, would be attractive and beneficial for many on work assignments who need training, and for others to enrich their educational experience. Those who have attained literacy can continue their basic education in the evening. Evening classes also present an opportunity for cultural enrichment courses--art, music, literature, etc. California could further expand its use of volunteer teachers in evening classes.

The use of newer educational techniques, methods and materials should be expanded. As already suggested, programmed education is especially effective with prisoners, whether in the form of programmed texts or teaching machines. It divides training tasks into separate units, each sufficient to be a challenge but not a frustration, and a new unit is not begun until the previous one is mastered. Thus, each student experiences continual success and advances at his own pace. He competes with his own record rather than with others. This contrasts with traditional classroom teaching where getting behind the class in one unit makes one increasingly unsuccessful in subjects where each unit's mastery depends on mastery of prior units. The normal ego defense against failure is withdrawal from and derogation of the activity in which one fails; it is this that many prisoners have experienced and from which they change only with a contrasting experience.

Other useful education devices include basal series, educational television, language and mathematics laboratories, learning carrels, slides, films on tapes, all of which should be more widely used in California penal facilities.[5] Some programmed materials are particularly appropriate for self-study, since they are essentially individual self-study procedures. Many courses of this type are available in various vocational and technical fields. Yet it was noted that only a few institutions used programmed materials extensively. Within the Department of Corrections, a resource center for lending a wide variety of instructional and informational materials should be provided to service smaller facilities; larger prisons should set up their own centers.

There is substantial recognition among correctional educators that individualized instruction cannot be effective in settings designed only for group learning. Educational facilities can be sometimes rearranged for more efficient use of modern types of instruction, but they often must be remodeled to create learning laboratories with teaching machines and learning carrels to utilize programmed, self-directed and machine materials.

It should be stressed, however, that classroom instruction should not be abolished; it should simply be coordinated with individual instruction, and made more flexible. If a person works alone constantly, his learning atmosphere soon becomes lonely and this often makes him stagnant. Group and individual activities blended together by an effective teacher generate the most motivation and satisfaction in learning.

Educational television, including closed-circuit television, should be developed. It is possible for local public schools and universities to assist here. This would provide a wider variety of courses than are now available, and it would, with California's giant facilities, make education available to men in locations of the institution other than in the classroom. In keeping with the belief that greater involvement of resources outside the correctional system is called for, it is suggested that the California Department of Corrections explore the use of nearby schools and their resources for certain prisoners who can safely be released daily to them. There is much successful precedence for this in other states.

Camp inmates have complained about a lack of educational programs at their locations. The camps are set up for inmate labor on forestry and other outside work projects, and therefore have an explicit policy of excluding men who need to finish school at the central institutions. Yet further education programs could benefit many of these men in the camps. Little in the way of educational opportunities is now offered.

Michigan has tried to improve camp educational opportunities by contracting for the use of school facilities and teachers from nearby school districts. The programs (largely vocational) are conducted in the evening and the men are bussed to the schools where the classrooms and the trade-training shops are located. These programs are largely voluntary, for the man who has worked in the forests or elsewhere for a full day and then desires to go to school in the evening must be highly self-motivated. Evening academic and "enrichment" courses are also conducted at the camps with teachers, paid and voluntary, who come to the camp. At some camps the educational training is conducted by faculty of nearby community colleges. These types of educational programming would not be needed at all camps if camp or potential camp inmates were screened for educational interests and learning ability, then placed in camps designated for these programs.

Vocational training equipment and facilities should be improved.[6] Some of the prisons are well equipped for such training but others are not. In some, the space is inadequate, equipment is obsolete or lacking, and instruction is attempted with obsolete material. Most of the institutions have the nucleus for good vocational training programs and relatively small sums of money would modernize them and permit much more useful training. In some prisons new training facilities are needed as there are waiting lists for assignment to training, due to lack of adequate space.

Job training values of prison industrial and maintenance operation should be studied and exploited by development of training programs or integration with present vocational training. Some prison work assignments have much training potential for specific skills, in addition to providing work habituation. Building maintenance, for example, is a service occupation with considerable outside employment market. To develop this type of vocational training, each specialized vocational assignment must be analyzed to see what combination of skills might be involved, to what extent and in what logical sequence, to relate to specific free world employment requirements. Class work in related theoretical and technical areas should also be given to place the assignment into proper context. Indeed, many types of work assignments can be coordinated with more formal classroom vocational training, including institutional cooking and baking. The Department of Corrections has made some beginning in this direction. Examples of this potential include mechanical drawing, where those who are learning can do sheet metal layouts for maintenance, and welding, where learners can be used in some institutional repairs and alterations. There is a tendency in any prison system, and it was noted in California, to use the vocational shops primarily for maintenance rather than training. This means that only inmates who already possess the skills required are assigned to them, thus subverting their use as a school. This is a condition that repeatedly erodes the educational impact of prison programs and against which continual vigilance is necessary.

The vocational courses taught in each institution should be reevaluated. It is evident that some courses are taught because of tradition, or of outside pressures, or for other reasons apart from their rehabilitation value. Courses which cannot be utilized by the students after they leave the institution are patently wasteful. Many such courses are taught in the California institutions. It is clear also, from the standpoint of time, that some of the courses have doubtful benefits. There are courses in the system which require enrollment for two years or longer, and some which handle only a few students at a time when many need and await training. Short-term courses, which can appreciably help large numbers of people, are optimum and should be preferred when instructional offerings are planned.

Two general conclusions are also in order: (1) greatest benefits for most inmates occur when vocational training emphasizes broad and basic skills and principles, rather than specific and narrow skills which have restricted labor markets; (2) training should be tied in closely with the employment opportunities of the community, and, therefore, must be kept current.

A recently completed study showed that only 35% of California's prison vocational trainees were employed while on parole at the occupation for which they were trained in prison. Many of these parolees were disappointed that their training did not give them jobs with pay as high as they anticipated. A large number asserted that they valued their training in that it helped them use their time constructively in prison, and gave them skills they felt proud to have mastered. Fewer parolees asserted that the training gave them a means of earning a good living. From their high rates of job attrition, it was evident that much of their non-use of new skills was due to the retention of a short-run perspective towards work; they had not acquired a deep commitment to an occupational career just by the learning of new skills.[7]

A prime lesson to be acquired from this research is that such follow-up of prisoners receiving vocational training should become routine for continuous guidance of prison training programs. Efficient forms can be developed for feedback information from parole officers on parole jobs of trainees. Data from such forms can be tabulated by the Research Division and transmitted to the prison training staff. Such response from parole officers would be stimulated by communications to them on the releasee's training record in prison. With such mutual feedback, training staff would be less in the dark about the value of their efforts. Any evidence of gross deficiency in using a type of training could then result in more intensive follow-up of trainees from a given trade by vocational education specialists. The specialists would identify the precise nature of training inadequacies, and would evaluate alternative possible remedies.

The second lesson to be gained from this research is, of course, that training alone is not sufficient for post-release employment. Relevant counseling, placement assistance and especially, work furloughs, should all be tested further as procedures for promoting full utilization of vocational training by those with job problems.

Related to this issue is the work furlough program presently operated by the Department of Corrections. At present, the Department has approximately 180 work-furloughees assigned to those institutions whose physical locations make work furlough programs possible. There is ample evidence as to the value of work furlough.[8] The Department of Corrections is to be commended for having initiated work furlough and is encouraged to expand the concept.

Greater enrollment in educational programs should be encouraged. Unless there is great expansion in correctional industries, it appears that many inmates will remain less than fully occupied. Probably the best relief for this situation, and the one which has the richest potential, is expansion of educational programs. This would require additional staff in some facilities, and additional space and equipment in others. Federal funding is helpful here, and California should make certain that it is getting its share. Generally speaking, every man not having some marketable job skill, if he can be motivated at all, should receive skills training appropriate to his ability. Also, if he can progress in general education in prison, he should be given every encouragement to do so. In order to interest those not inclined toward further training, inmates now in educational programs should be encouraged to recruit others. New courses should be promoted by counselors and other staff, and in prison news media and posted announcements as well. Monetary payments and other tangible rewards and recognition for course completions, however, can be the most effective incentives in adult prisoner education.

V. TREATMENT PROGRAMS AND SERVICES

Counseling

Counseling programs are found in all California institutions. They are important in giving inmates an opportunity to air their feelings and work out their emotional problems, as well as for handling a variety of personal difficulties (e.g. financial, legal or family problems on the outside) which may otherwise be neglected. They also facilitate post-release planning and communication with relatives. Finally, counselors provide progress reports and recommendations on inmates for institution officials and for the parole decision-makers, the Adult Authority. If counseling helps an inmate learn to get along with others or resolve his feeling about authority, for example, it may contribute as much or more to his post-release employment success as the most thorough trade training.

Counseling in California prisons is more extensive than intensive. Counselors typically have caseloads of hundreds, which preclude individual counseling and limit involvement even in group work. Some counseling is done by correctional officers. This is a commendable practice except that some inmates claim that they are counseled mainly by new officers, apparently as a staff training or indoctrination method. This probably has more value for the officers than it does for the inmates. Some group therapy is also available, but this is limited by the size of the professional staff. Intensive group or individual counseling seems to be rare outside of psychiatric settings and a few special short-term situations.

During the 1950s and early 1960s California prisons became well-known for their group counseling programs. These were extensively publicized in national correctional meetings and publications, where they were presented as rehabilitation programs. With the growth of correctional research in the late 1950s, government and foundation grants as well as State funding were devoted to the expansion of group counseling, and to an assessment of its rehabilitative effectiveness. This research applied to both the group counseling by briefly trained line staff scheduled only about once a week and to intensive daily sessions involving different sized groups, with professional and line staff, that became known as "therapeutic communities". The measurements, however, proved disappointing.[9] What became evident from the research and had been pointed out earlier by some observers, was that such counseling programs tended mainly to serve institution management functions and readily became largely irrelevant to rehabilitation needs. However, they did permit free and orderly discussion and resolution of grievances and tension among inmates and staff. But most of the successful ventilation of emotions in these groups, and the constructive discussion, revolved around institution life. When discussion dealt with the outside world there prevailed a mixture of fantasy, rationalization for crime and anti-authority ideologies, with conversation dominated by the most aggressive and unrealistic spokesmen for these anti-rehabilitative points of view.

At the same time that California invested in the promotion of group counseling as rehabilitation, it largely ignored research evidence on the rehabilitative effectiveness of some other types of counseling for some inmates. The PICO (Pilot Intensive Counseling Organization) Project demonstrated by a rigorously controlled experiment in 1960 the differential effectiveness of counseling on different inmates. This experiment involved assignment of one trained counselor (generally a clinical psychologist or psychiatric social worker) to every 25 inmates during, on the average, the last nine months of their confinement. Those inmates selected in advance as "amenable" to counseling because they seemed bright, verbal and anxious to change, had appreciably less post-release reconfinement on criminal charges if assigned to these special counselors when in prison that if without counselors. On the other hand, for those considered "non-amenable" to counseling because they seemed indifferent or opposed to counseling and not anxious to change, greater post-release reconfinement on criminal charges occurred for those assigned the added counselors than for those without such counselors. Reconfinement costs saved by reduction of subsequent criminality in the amenables more than paid for the cost of one counselor per 25 inmates for nine months.[10] Analogous conclusions had emerged earlier from research in a Naval prison,[11] and are suggested by the one positive rehabilitation effect demonstrated for group counseling: that inmates of middle risk categories--not the best and not the worst types by usual recidivism rates--had less than the rest of their risk group's post-release criminality rate if they were in counseling groups for a long period with no change in the staff member assigned to their group.[12] Similar results also were found in Massachusetts prisons.[13] All these data suggest that counseling can be rehabilitative if readily available to those inmates who want it, and if provided in a manner that fosters a close relationship between the inmate and the counselor. However, counseling usually is irrelevant or even has negative effects if it is a prescribed program replacing other programs and is forced on inmates not seeking it.

Some California prisons have facilitated this constructive counseling aid by scattering the offices of counselors in the cell-houses or other inmate residences, instead of concentrating them in an office building where inmates can see staff only by special appointment. In the cell-houses one can overhear evidence of an affectionate personal relationship, such as an inmate calling to a counselor, "Hey Louie, I gotta see ya'." One can infer that the counselor is more likely to see inmates only when they are amenable to counseling aid, and will learn much more about the inmates' prison experiences in this type of arrangement, than he would in the seclusion of an office elsewhere. More of this type of ready access to counseling and familiarity with the counselor should be provided for those inmates anxious to have it.

The counseling staff in each California institution should be increased toward the recommended American Correctional Association ratio of one counselor for every hundred and fifty men. In several of the institutions, there are counselors who handle between three hundred and four hundred men each. This is too large a caseload even for group work, and it is especially inadequate for personal counseling. It is impossible for the counselor to know many men in a caseload of this size. With the excessive caseloads prevailing in some institutions, the number and length of contacts are insufficient. More staff is required if the condition is to be improved.

It is not suggested that one counselor to a hundred and fifty inmates is always the correct ratio. Certain types of people require greater attention and a more richly staffed counseling program is necessary to provide it. More important, in situations where inmates are released temporarily to the community, as in work furlough or community correctional centers, counseling is most strategic to rehabilitation. Here the counselors are dealing with problems feared or experienced in the community where rehabilitation must occur, and they are problems which are immediate.

More sub-professionals should be added as associate counselors to do many aspects of the counselor's job. In California, some specially-trained sub-professionals are now used in counseling, and this effort is to be commended. The training of correctional officers for individual counseling functions should be expanded, since California's experience at its conservation centers with this plan seems to be satisfactory. These men can handle the routine problems of most inmates, as well as prepare routine reports and inquiries. When their background is similar to that of the inmates they frequently can gain rapport more readily than professional counselors. This relieves the professional counselor of many of the time-consuming tasks and frees his time for more in-depth counseling.

No ratio of counselors to prisoners will provide adequate counseling services in some prisons, because work other than counseling, especially writing reports, is a major responsibility of the counselor's job. In California much less time should be spent by the counselors in preparing reports for the Adult Authority. This time can be better used in the counseling of inmates. It is difficult to alter this simply by issuing an order, however, as these reports are tangible products in which the counselors take pride and which the Adult Authority views as essential. The reports tend to be the only part of the counselor's work which is visible to his superiors, and on which he is evaluated; his communications with inmates are not observed, and their rehabilitative or anti-rehabilitative effects are not readily known.

Actually, most of the information in progress reports to the Adult Authority already exists in the inmate's file. Many of the progress reports repeat what was previously communicated to the Adult Authority in prior reports. Improving case records for both information to decision-makers on current individual cases and for evaluation of policy on large numbers of past cases requires a collaborative effort by research, classification, counseling and paroling officials. Much of the information most useful to them all (e.g., on criminal record, work record, drug and alcohol record, educational record, etc.) can be standardized in a limited number of categories of minimal ambiguity and maximum relationship to post-release behavior, drawing on the base expectancy and analogous follow-up research already completed in California. A face sheet prepared at Reception can summarize all of the most relevant pre-prison information in an efficient "check-off" format, which modern copying equipment can duplicate as often as necessary, so it never has to be written up again in subsequent reclassification and parole considerations. A "comment" space can be left on any such form for any brief remarks staff may feel are important to qualify the standardized categories checked off to describe an individual. Similarly efficient "check-off" forms can also be developed for describing progress in the institution, supplemented by narrative remarks.

Efficient and scientifically tested case record and report procedures release much counselor time from paperwork to work with inmates. The information that "check-off" forms in most instances contain is more useful than that in traditional lengthy narrative reports because the efficient forms employ a standardized language among the many who use them, because information is found more quickly in them than in verbose narrations, and because errors are found and corrected more quickly than they are in prose essays. Such forms have been developed in the Washington State Department of Institutions and the New York State Narcotic Addiction Control Commission. At first their use was resisted by clinically-oriented caseworkers enamored of their literary creativity, but they soon became popular among all service-oriented staff. They have also proved invaluable for research on factors relating programs to outcome for particular types of cases.[14]

Clinical Services

Clinical services include the activities of psychologists and psychiatrists in the diagnosis and treatment of mental abnormality and disturbance. The trend in corrections is away from the attribution of mental disorder to the majority of offenders, but there are those who show demonstrable abnormality and others for whom this is a definite possibility. Conventional programming will not reach those whose problems are symptomatic of deep disturbance. The California Department of Corrections provides special services for these people. The institution at Vacaville is specifically charged with handling these disturbed persons, and is available for transfer of inmates from the rest of the system. Other institutions, with a few exceptions, have staff psychiatrists or at least some type of contractual service with community psychiatrists. The Department has difficulty hiring psychiatrists for some institutions primarily because of their locations. This is especially a handicap since the Department must take care of its own psychotics. The practice of transferring such patients to the Department of Mental Hygiene, found in other states, is not operative in California.

Additional beds and staff should be provided for the psychiatric program. Space is not now available for the medical-psychiatric housing of all inmates needing it. Earlier plans for a new medical-psychiatric facility have been abandoned by the Department. The estimate is that 4,000 inmates in the prison system would benefit from this type of program, but Vacaville has only 1,400 beds.[15]

There are unquestionably many mentally ill people confined in California prisons and this situation will worsen. This is partly the result of a recent change in mental health laws allowing more mentally sick patients to be diverted from the Mental Hygiene Department to the Department of Corrections. These mentally ill persons are now found in large numbers in several institutions. Some are actually in the general group, and others are confined in segregation areas. Of these, some are acutely ill and in need of intensive care and treatment.

The most desirable solution to this problem would be the construction of a new specialized facility for these people. If the inmate census moves up again, and a new institution must be built, it should be of this type. If this is impossible, then the Department of Corrections must consider the utilization of some beds in its present secure structures. This might require the movement of some inmates out of the general population of a high security institution, providing beds can be freed for this purpose. If the total inmate count of the Department is reduced, as will be suggested, this conversion of some existing facility to a specialized mental treatment facility might prove feasible. While this move would no doubt require some expenditure for remodeling and, of course, for professional personnel, it will make room for many of the psychiatric patients who are not being given the attention the Department recognizes they need.

The problem of recruiting trained clinical service staff should not be overlooked. It is surprising that California prisons have been able to recruit, hire, and retain an many psychiatrists and other professional people as they have. But there are personnel shortages in the clinical services area. More positions should be authorized and more of these people employed. To do this, it should be clear that more realistic and competitive remuneration has to be offered clinical personnel.

Religion

The Department has provided excellent facilities for religious worship in almost all of the institutions. Chaplains of the major faiths are employed and they can be valuable members of the prison staff. It is recognized that many prisoners can find religion a source of consolation and a positive influence toward beneficial change.

Distinctive facilities for congregate worship should be provided in all institutions which do not now have them. Three institutions do not have an appropriate place for religious services. Places for worship, properly designed and furnished, can be an eloquent reminder to the prisoner of the existence and inspiration of religious institutions on the outside.

Libraries

The California Department of Corrections has recognized the value of library services. All facilities have some library space and several have a good selection of books. The library is a valuable adjunct of formal education, and a source of information and recreation to those who use it. Two recommendations are in order:

1. Although most of the libraries are adequate in size, a few institutions should be provided with more and better space. The standards, so far as size is concerned, depend on the size of the institution. The guide should be "Objectives and Standards for Libraries in Correctional Institutions," a publication of the American Correctional Association which contains the best thinking in this field.

2. The number and quality of books should be supplemented. In most of the libraries, the quality of the books, particularly in the reference areas, is marginal. This condition may be improved in more than one way. Arrangements might be made, as in other jurisdictions, to work with nearby community libraries to obtain a greater supply of books. Some states use a bookmobile arrangement through the help of the State Library offices. California prisons get State Library service upon request, but this is for individual books and materials. A bookmobile service which circulates among all of the institutions, exchanging books on a regular basis, could supplement the existing program. The Library Service and Construction Act should be used more, if possible, for the improvement of institutional libraries.

Recreation

The Department of Corrections has obviously devoted considerable attention to the area of recreation, which generally has adequate staff and good facilities. One institution has no gymnasium, however, and this is a weakness in its recreational program. It is also suggested that a larger number of organized and supervised group recreational activities be developed. Some programs have less structure and supervision at present than is desirable. Some inmates complain that there is a lack of recreational equipment.

VI. WORK VALUES AND CORRECTIONAL INDUSTRIES

Work Assignments

A major value of work for the prisoners is the opportunity it affords for inculcation or reactivation of positive attitudes, skills, and habit patterns. Also, inmate work helps to achieve effective and economical institutional administration. Work provides great potential for building morale and is essential in the maintenance of security and discipline. It has been observed that regular work during imprisonment for even as little as one year would be the longest work experience most youthful prisoners have ever had. More important, it has been found that relationships of inmates with work supervisors are most often cited by successful ex-prisoners as the primary rehabilitative relationships they experienced in prison.[16]

The California Department of Corrections has its share of idle prisoners. The exact amount of idleness is impossible to determine, as no studies or projections of realistic needs for inmate work opportunities are available. In all large institutions, however, the idleness problem is evident. It is true that not many employable prisoners are completely idle, but it is evident that in order to prevent complete idleness of some, there is an overmanning of work assignments, resulting in the partial idleness or "featherbedding" for many. While this may be the only immediate alternative, such a choice is not a good solution to the work problem. Only in the forestry camps is overassignment of inmates to jobs generally avoided. This fact is noted here as one disadvantage of the Department's recent actions to reduce its camp program.

Each institution should undertake manpower utilization studies of inmate work forces. A plan resulting from such a study would suggest that one of more of the following courses of action would be feasible to prevent idleness and provide fuller work assignments. Each institution would:

1. involve more inmates in full-time educational programs.
2. perform additional maintenance and construction work. Much of this work needs to be done. Prison officials know this, of course, but in addition to inmates for this work, they must have adequate maintenance and equipment money.
3. extend services to other agencies in State government in fields such as dental prosthetics, data processing, silk screen work, office services, warehousing, auto repair, body bumping and painting, microfilming, etc.

4. expand present correctional industries and bring in new ones where justified.

5. expand work furlough, as has been previously suggested.

Some of the above actions require extra-departmental support. Some would come face-to-face with vested interests, but if California is serious about improving its prisons and work programs, then the objections must be contested and the idea of work expansion promoted. It is certain that the Department would welcome support.

Often the public is not realistic in its evaluation of the difficult task of changing people who have had little success in life. Many prisoners are poorly motivated and do not even wish initially to learn how to work. Correctional officials recognize this characteristic as one of the chief obstacles in obtaining cooperation from inmates in working toward self-improvement.

To help meet this problem, more visible rewards should be tried in California. The inmate wage scale should be overhauled. Wages are too low in institutional work assignments and industries to motivate appreciable work return from inmates. In some cases production incentives would help, but inmate wages are generally too low.

Industries

California Correctional Industries consists of nine program operations--woodworking, metalworking, textiles, food processing, laundry, miscellaneous manufacturing, dairy, other farm, service departments--and involves nine institutions. Approximately 3,100 inmates and 275 civil service personnel are employed.[17]

A central office staff of 39 provides overall management and coordination, engineering and marketing services, and sales and sales order processing. More than 900 different standard products and a variety of custom-made items are sold to public agencies. The Department of Corrections is its own best customer. As in most state-use prison industry, they have only begun to utilize the potential market of the state colleges and universities.

The industries program operates under the direction of the Correctional Industries Commission, and is composed of the Director of Corrections who serves as Chairman, two representatives from organized labor, two from private industry, one from agriculture and one from the general public.

The Department of Corrections' industrial program attempts to accomplish three objectives:

1. to contribute to the overall departmental rehabilitation program by providing work background, skills, and work habits in industrial and agricultural enterprises for inmates who would benefit from such assignments.

2. to provide constructive employment to inmates as an alternative to idleness.

3. to reduce costs of maintaining the correctional program by the sale of products and services to public agencies.

Despite criticisms, California's scheme of correctional industries appears altogether consistent with the current and emerging correctional philosophy toward rehabilitation and reintegration of the offender in the community. Work habits may prove to be more important than skills. Goals related to improving the financial condition of the inmate and to institutional maintenance and production are considered less important, but nevertheless desirable. Primarily, any industries program should be evaluated on its contribution to the fulfillment of rehabilitative goals. Procedures and policies which impede these goals should be corrected or modified. But if industries in California are to be justified on the basis of their contribution to rehabilitation, it is imperative for them to demonstrate that they are having a measureable effect in that direction. There should be greater coordination of vocational training and industries by the Department of Corrections, and also closer post-release follow-up of both in order to provide adequate information regarding their impact.

More markets would be helpful and should be sought for California's prison industrial program. The small variety and size of current available markets limit production. The State consumes only a fraction of the many kinds of goods sold in the public market, and the California Department of Corrections has pointed out that its share of state consumption is less than 1%. Recent suggestions for private ownership and management of some prison industries, and the repeal of Federal laws barring prison-made goods from interstate commerce, should be studied carefully. Another plan under discussion deals with community-based correctional industries, and includes contracts or agreements with existing non-profit organizations for the provision of sheltered workshop training of parolees. California has already tried a few experimental programs involving employers and training institutes in inmate training programs. To reject or accept these new approaches outright without objective and careful consideration would be unwise. In any case, all expansion of prison industries to new markets should be concentrated in industries which need operations and skills similar to those required in free world employment.

The role of the Correctional Industries Commission has been a subject of concern and conflicting views among authorities. The Commission was created by Statute in 1947, and has, in the majority view, worked well in coordinating the efforts of correctional industries by involving the commercial sector, organized labor, agriculture, and the general public. The minority view is that the current Commission set-up is cumbersome, and that its tasks could be accomplished more expeditiously by the Department itself.

The Prison Task Force feels that, in the final analysis, the Commission does fulfill an important role, and that, by change of name and expansion of membership, could become even more productive. It is suggested that the Commission be re-named the Correctional Industries and Training

Commission, and that its membership be expanded to include two persons who are expert in the field of vocational training; one such member should be the Chancellor of the California Community Colleges, or his designee; another member, representing secondary schools, should be the California Superintendant of Public Instruction, or his designee. California has a nationally-respected network of almost 100 community colleges, and innumerable high schools, both of which offer substantial expertise in the area of vocational training; expertise which would represent valuable assistance to vocational training and correctional industries.

The Department's administration should indicate full support for prison industries and more closely integrate industrial operations with the total institutional programs. Execution of this recommendation would benefit correctional personnel, both in industries and elsewhere. It is not likely that the gap is as wide as some staff claim, but the fact that many believe there is a problem should be weighed. A good degree of coordination is required if industries is really to be a part of the total institutional program. Greater involvement of industries personnel is needed in each institution, especially in major decision-making committees. Training programs should include industrial and non-industrial personnel. Some of this cooperation occurs now but more is needed in some institutions. Statements and actions of support from policy-level administrators would help reduce the isolation of industries. Several issues in closing the gap between industries and institutions deal with the role of the inmate.

1. The development of favorable work attitudes and useful job skills is the primary goal of prison industry. Institutional assignment procedures and policies must be compatible with this orientation. In prisons, the ideal treatment classification is not always possible. But while other criteria (custody, institutional needs, discipline) will take precedence over treatment in certain instances, they should not do so routinely. All industrial and other personnel must agree that assignments to industries should be made primarily on the basis of inmate needs. Complete acceptance of this principle will reduce friction and ultimately better satisfy all.

2. Inmates assigned to industries should be expected to work approximately eight hours a day at a good pace. In California, this performance varies with institution. The institution must help by doing its best with the inmates' scheduling and activities. It is a major administrative problem in every prison to keep work, counseling, education, etc. from interfering with each other. If prison industries is to realize its goals, interference must be kept to a minimum. Free world jobs do not allow constant interruptions. Careful scheduling must be followed, with other programs generally offered at non-conflicting times so as not to interrupt work, school, or training schedules. California's use of counselors in the evenings should be expanded. Inmate call-outs should be controlled and regulated.

At the same time, industries personnel must recognize that they should support other institutional programs. They must realize that some of their best inmate employees will move on to other assignments and degrees of custody. Goals must be common and shared by all personnel.

3. Production in California industries could be improved. The slow pace is quite evident in some of the factories and the work day (actual time worked) is short. Production suffers because there are few motivating factors encouraging inmates to work hard. Incentives and rewards based on productivity would help in this respect. It has been suggested that paid vacations, participation in social security and unemployment benefits might be a way of compensating prisoners and increasing the probability of a successful post-release adjustment. While these suggestions have not been well-received, it is clear that monetary payment levels should be high enough to make inmates feel their work is worthwhile and meaningful. An increase in the California base pay levels and possibly some incentive pay plans related to productivity are in order. Increased inmate savings as a result of better earnings could decrease the financial assistance needed by inmates after transfer to Community Correction Centers or to parole, as well as the number of economic post-release crimes they commit.

   An eight hour "pace" under conditions similar to those in free industry should be the target. The quality of work expected of inmates is now generally good, and high standards should continue. The assumption that all this is conditioning for successful adjustment in the free community is logical. Work done at too slow a pace can undermine its rehabilitative potential. Involvement of private industry on an advisory level is useful to maintain comparability of prison and outside employment practices. This already is practiced to a large extent in California, but more could be done to approximate outside methods, technology and work conditions.

   Training considerations should be given greater priority by prison industries. It is impossible to determine how much weight this aspect is given, but nowhere is it given enough. This point cannot be overemphasized. A system that offers little opportunity for training or future job placement should be modified. California's current effort to coordinate industries with institutional vocational training will be helpful. Correctional industries should allocate time and resources to industrial training.

   Until the fund of knowledge on the impact of prison industries is augmented, it is reasonable to hope that these programs will develop job skills, shape attitudes favorable to work, and help people adjust to community life. Meanwhile, it certainly is desirable to keep prisoners occupied and defraying expenses, if possible. Emphasis should not be placed on profit and loss at the expense of rehabilitative goals. It is unrealistic to expect prison industries to match the profits of its business counterparts in the free community, but prison industries should be businesslike. Questions such as the following should be answered:

Is the central office staff too large?

Is prison industries accepting too many custom jobs which affect product and profit?

Is the pricing of industries products based on sound business practices?

Why has the overhead increased so greatly from 1966 to 1970?

Why are inventories so large?

VII. CUSTODY, SECURITY AND DISCIPLINE

The Department is legally charged with the security and control of prisoners. Although at times this responsibility appears to be at odds with the rehabilitative mission, it is doubtful that any correctional administration which ignores this charge or treats it lightly will survive. Nowhere is the prevalence of order over chaos more precarious than in large penal institutions.

The custodial forces of prison are given the primary responsibility for preventing escapes and maintaining order. The former task calls for surveillance to maintain the physical integrity of the perimeter, to exclude weapons or tools for escape, and to detect escape plans. This is a vital operation but its essence is technical--a matter of efficient and diligently conducted routines.

Maintenance of internal order is another matter entirely. It involves proper routines also, but human elements and emotions are much more involved. This is a crucial matter in California. A large number of violent incidents, including several homicides, have occurred in the last year and a number of collective disturbances have also occurred. This has led to considerable adverse reaction both inside and outside the Department. There is much tension in some institutions.

Preservation of order is essential. Both staff and inmates have the right to demand that their safety be assured. No positive programs can be conducted successfully in an atmosphere of tension, danger, and actual disruption.

There are a number of specific suggestions in this section aimed at improving institutional control and reducing incidents of violence. These suggestions are based on a custodial rationale which may be spelled out fairly briefly. In institutional control such a rationale may be even more important than the details, since it is vital that all practices be an integral part of a reasonable and consistent operational philosophy.

The basic principle is that maintenance of order and control should be preventive where possible, and should not depend on force or show of force except when absolutely necessary. Force cannot always be dispensed with, but if it is used unwisely, it exacerbates rather than alleviates the problem. Minimization of force is called for, not out of leniency, but simply for best results in maintaining order.

There appears to be a tendency in certain of California's more secure institutions to place heavy reliance on forceful and severe disciplinary measures. These measures may be self-defeating. Prisoners, probably more than men in other institutions, will try to preserve identity and pride. If the game is implicitly defined as one of threatened force or penalty, prisoners will often play by those rules, including some men who might have preferred and been dependable in a more reasonable relationship based on mutual trust. Not only does control by force and threat of force foster rebelliousness, but it reduces the inclination among prisoners to be involved in positive programs and to cooperate with staff in anything. This may be happening in some--not all--California institutions.

Reference to force should not be misinterpreted to mean that prisoners are deliberately brutalized. There are as many safeguards against such practices in California as in any correctional system. Unquestionably, a few employees will at times exceed their instructions and go farther than necessary in handling a disciplinary problem. There is, however, no Departmental design or plan to brutalize, but, to the contrary, the Department remains alert to any possible mistreatment of inmates by staff, and, if such mistreatment is found, corrective action is taken. However, a few of the prisons manifest a kind of "institutional lag"; while the growing emphasis by the Department has been placed on the goal of rehabilitation, some custodial practices have not kept pace with this emphasis.

Principles of Maintaining Order

Custody operates in three ways to maintain order and reduce dangerous incidents. It uses prevention, intervention and disciplinary sanction. Custodial operations in California need improvement in all three of these areas.

Prevention. A show of potential force can assist in preventing some problems, but a demonstration of confidence is better. Officers show confidence by mingling unarmed with inmates in the yard rather than by standing armed and out of reach. Mingling does not invite a hostile return. Strong positive programs involving inmates, and the building of personal ties between inmates and staff, are the best means of preventing disorder. At the same time, it should be recognized that some prisoners will respond only to power, but in no California institution is that true of most inmates most of the time.

Intervention. When incidents occur such as fights or assaults, they must be stopped. Here, too, a minimum of force should be used and it should be used selectively. Where good relationships have been established, a fight may often be stopped by a verbal order.

Discipline. Discipline for rule infractions should not be harsher than necessary. For serious rule violations, this means segregation. There has never been good reason to believe that long periods of segregation prevent future infractions. Actually, the opposite effect, or defiance, may be the consequence.

It is not implied that the above principles are novel or unknown to California prison administrators. It is suggested, however, that closer adherence to them should occur in some of the institutions. In many California prisons the relationship between custodial staff and prisoners is good, but in others improvements are both possible and necessary. This is said in full recognition of the fact that some violent and dangerous men must be dealt with. However, experience has shown that force or severity of discipline do not guarantee maximum protection for inmates and staff.

Obviously, the kind and degree of security and custody depends on the type of institution, with tighter controls found in the walled and fenced institutions, as long as they hold high custody risk inmates. Generally speaking, no inmate should be housed in a facility operated with more physical and managerial security than he requires. Ideally, the graduation of a completely free environment should be accomplished as rapidly as possible.

Custody and Security Modifications

The following observations apply primarily to the California prisons with physically secure perimeters. Some of the recommendations which follow could be discarded or ignored if one of the major recommendations of this Report were followed: the closing of San Quentin and Folsom prisons. Since it is not certain that this recommendation will be acted upon in the near future, the alternative suggestions which follow apply largely to these old plants.

Inside gun towers and gun walks. These methods of control are rapidly disappearing from the American prison scene. Not only do armed men, prominently posted inside an institution, create a possibility that weapons will be misused or fall into the wrong hands, but the psychological barrier between officer and inmate is made more formidable and pronounced. It inevitably adds to the impression of the "keeper" and the "caged."

Unquestionably, armed men in towers and armed men patrolling an institution give some members of the staff a sense of security. What these people do not perceive is that relationships and understanding will never improve under such conditions and terms. An impasse is made manifest; rigid demarcations are established with no means to change them. With the existence of gun walks, there is literally no common ground. Were most of these post officers required to be with the inmates, their attitudes concerning their own safety should change and it is reasonable to assume that their concern, patience, and performance would be enhanced. Detachment might be replaced with involvement.

The physical characteristics of the two institutions where these features are found present so many supervision problems that modification rather than complete elimination is suggested. Closed-circuit T.V. scanning could provide surveillance of the several critical areas, and officers could be dispatched to any trouble spot directly through the institution or by the gun walks. Many gun towers within the prison compound could be eliminated or manned only in emergencies.

Unneeded structures. Razing structures that are not needed would allow armed surveillance to be moved back to the wall posts where it is needed for escape prevention. This should certainly be done with the condemned industrial building at one institution, the removal of which would help unclutter the yards and improve vision.

Staffing patterns. Custodial officers should be in constant contact with inmates. Well-trained custodial personnel can have a positive influence on many inmates. To accomplish this objective, custodial personnel must be used judiciously, since there is rarely an excess of this category of staff. As many employees as possible should be on duty during the hours of peak inmate activity.

California institutions operate with 8 A.M. to 4 P.M.; 4 P.M. to 12 midnight; and 12 midnight to 8 A.M. shifts. This requires the night shift to get things moving in the morning--unlock, supervise breakfast, etc. A full, or near full, complement is needed to do this. It is suggested that a lightly manned 10 P.M. to 6 A.M. shift, during which the institution is secured, might be more effective and suitable. More personnel could be available for the remaining two shifts when activities are at a peak. Evening activities, if curtailed because of custodial staff shortage, could then be increased accordingly. Staffing patterns should be re-evaluated. Many custodial officers have office assignments; the gun walks and inside gun towers also take a large number of men. Unquestionably, more officers could be placed in positions of direct contact with inmates through a shift in assignments.

Handling violent prisoners. In California, as in most state prison systems, gas is used to control severely recalcitrant inmates. California authorizes this general practice on the ground that it reduces injuries to inmates and staff. This is in some cases plausible and defensible. Whether too great a reliance is placed on the use of gas can only be determined by the careful analysis of each incident.

There seems to be an aversion on the part of most California officials to the use of mace, though it has been used successfully elsewhere. Where gas must be used, mace might fit some situations better for it does not contaminate large areas, and does not affect innocents for days afterwards. The use of gas is a source of much resentment among inmates, and as such tends to generate further incidents. In some cases, use of gas is symptomatic of a tendency for staff to use force at a distance. It may sometimes be a first rather than last resort, discouraging reflection on more permanently effective responses.

Weapons control. Weapons are used to prevent escapes and as a last resort in emergencies to protect both inmate and employee. Their visible presence on the wall may forestall escapes; inside, their visibility may actually detract from maintenance of order, as just argued. But any prison security plan must include appropriate weapons.

Weapons arsenals should be well kept, readily accessible, and adequate in size. Some California arsenals do not meet these standards. They are too small, and poorly located. Some are so small that officers cannot be equipped within the arsenal. Where California's arsenals are sub-standard, they should be modernized. At two of the prisons, space between the front sally port gates could be remodeled to provide an armory while simultaneously being used as a gate control station, as recommended in the following section.

Traffic and key control. Prisoners are used in two institutions to keep open inner main traffic gates. This practice invites trouble. Inmates are used, in addition to the officer who is present, because these main gates are old and manually operated. The best solution would be to remodel these archaic sally ports by providing gates electrically-operated from a security bubble. The officer in the bubble would control both the vehicle and foot traffic gates at one institution; at the other, vehicle gates are in another area and would not be involved. The armory could be located behind this bubble, since the area between the gates is secure. As mentioned, inmates are involved in key handling in some institutions. This is usually required by the condition of gates and cell locks. If the plants were new with modern equipment, inmates would not need to be utilized. Also, a simplification of custody procedures through a "systems analysis" of this area might allow for removal of inmates from these and other security sensitive jobs which many now hold. In any case, new cell locking systems should be installed to replace those now obsolete.

Contraband weapon control. California prisons have seen much violence in the recent past. Whatever the causes, weapons are used by inmates to injure and kill. Weapons are made and found in every American prison, The best that can be done is to limit their number stringently. This can only be effected through vigilant supervision, good tool control, and strict enforcement. Tools and machines are used to make weapons. Industrial operations must, therefore, be given close surveillance. At one institution, industrial operations are found at two ground levels, which complicates tool control. It appears possible there, within existing structures, to consolidate all industrial operations in one area and one level.

Counts. Counts must be made. This is the only known method of determining if the institution's responsibility for the confinement of prisoners is being met. A good counting system is fast, accurate, and not too discommoding. California's count method, at least as observed in two institutions, was discarded by Michigan over fifteen years ago. The system was found to be too easily circumvented, and did not allow ready identification of unaccounted for prisoners. Essentially, this procedure counts all heads, adds them together and hopes the final total will be correct. If it is not correct, a slow and laborious person-by-person count for identification purposes must follow. This method is especially suspect when inmate clerks are involved. It also takes a good deal of time, which should be devoted to constructive inmate activities. The method of taking count should be updated; the "total count" method should be discontinued.

Emergency preparation and training. Each institution must maintain a comprehensive and objective riot control plan. Not all California prisons have updated plans. It is recommended that riot control plans at all institutions be reviewed and rehearsed.

The plan should be carefully developed by the staff of each institution, and tailored to the unique characteristics of the facility. Training should be routinely given in the general principles of riot control and to familiarize all personnel involved with the specific plan for their institution. These plans should then be tested by complete drills, including the call-in of off-duty personnel. Until this simulation is held, no one will be aware of the shortcomings of any paper plan. It is a mistake to believe that because every disturbance is different in some ways, no general plan is feasible. Naturally, plans must be flexible and contain alternative actions. But there are basic categories of response to every large disturbance. These involve personnel, equipment, standing orders, and a detailed analysis of the entire physical plant.

In a collective disturbance the objective is to restore order as quickly and smoothly as possible. A good plan is the best way to protect lives of inmates and staff. It is a precautionary, and possibly a preventive measure. Staff who know they are prepared to handle emergencies will react more calmly and efficiently to possible trouble.

Disciplinary hearing and reports. Disciplinary actions are initiated by reports. Some of the California prison staff expressed the belief that the report system needs examination. It appeared to them that relatively insignificant and minor rule violations are sometimes used as the basis of unwarranted parole rejection by the Adult Authority. In this connection, it is recommended that as many rule violations as possible be handled by the line officer and supervisor.[18] If the matter is serious enough to go to the disciplinary committee, the committee should still have the authority, after hearing the case, to withhold the report from the offender's official prison record. Whatever the disposition, the inmate should be advised. This change would get to the heart of individualized discipline. Some cases would not warrant this action, but some men would respond positively to it where it is appropriate.

Isolation, segregation and adjustment centers. Prevention is better than punishment, but a prison cannot operate without appropriate discipline for disruptive behavior when other measures have failed. The long-run effects of disciplinary policies are hard to assess. As might be expected, this is an emotionally-laden area where there are strong and divided opinions on this subject, and where reliable data are scarce. It is clear that as in the other phases of institutional order, good discipline must be fair and consistent, and take account of individual differences so far as possible. How effective are California's disciplinary policies and practices? The number of individuals "locked up" (1,224 on January 7, 1971)[19] suggests there are problems. This is a very high percentage compared with other jurisdictions. If this tactic resulted in quiet and orderly institutions, it might be defended. But this is not the case. California has unique problems, but they do not fully explain the frequency and types of serious incidents. It is reasonable to ask whether the disciplinary policies may not be exacerbating rather than improving the situation.

At times drastic actions, such as long lockups, are necessary. The question is whether lockups are being used too frequently and what are the long-term consequences of this practice? There is a human tendency to apply increasing amounts of the remedy at hand when a little of it has not done the job. Lockup may have become a prescription too readily used so that the cure has become the cancer. Perhaps a cycle has been created that is difficult to break.

Segregation and isolation are found in all correctional systems. The difference appears to be in the degree of use. Thirty days confinement to an isolation cell is excessive. It is inconsistent with California's philosophy, and its value has not been demonstrated. It embitters those who are locked up rather than deterring them. It is true that most of the isolation sentences are less than the thirty day limit. But 29 day terms are fairly common. It is recommended that the maximum time institutions can assign in isolation be shortened to ten days.[20] Longer terms should require the Director's approval. Ten days should usually have as much effect as a longer period, which may have negative results. Other jurisdictions have moved toward shorter isolation time, and disciplinary problems have not increased.

Adjustment centers. The California adjustment center program ordinarily involves much longer lockup periods than does isolation. In these centers a large number are locked up for periods of several months and beyond. The original concept of the adjustment center appeared to be sound. These facilities were conceived of as segregated institutional areas for the housing and intensive treatment of problem inmates. In theory, this represented a progressive development in that it called for use of administrative segregation as a treatment rather than simply as a disciplinary measure. But like many new correctional conceptions, it was not sufficiently supported by resources, information, and programs. The term "adjustment center" is now only an euphemism in at least three of California's institutions. Even at the other centers, the value of their programs has not as yet been established; at two centers, however, there appears to be genuine intensive programming and an effort to move men out of the centers as quickly as possible. So long as some centers are nothing more than long-term segregation units without significant programming, little change in the occupants can be expected. Once a man gets started on the adjustment center cycle it is hard to get him out of it. He picks up a label which tags him as a threat and he is so judged by staff and other inmates. His file gets thick with unfavorable appraisals. The long periods in marked isolation are likely to send him from bad to worse; this seems likely in view of the adverse effects of the centers on the behavior of incarcerated men.

The objections to the existing program do not solve the genuine and important concern of management with discipline and control in the institutions. Segregation facilities cannot be dispensed with entirely. To date no one has suggested a workable plan to control certain inmates. The individual who wishes to destroy everything about him and demonstrates this desire repeatedly, the person who preys sexually on other inmates, the chronically assaultive person, and those who actively incite others to violence must be restricted. The administrator would be justly subject to great criticism if he made no effort to segregate the dangerous inmate.

The need is for balance in order to reduce any excesses or negative features of the centers. The following suggestions may apply:

1. *The Director should issue a new policy statement, giving renewed emphasis to the importance of developing and using alternatives to long-term lockup.*

2. *The Department should initiate a special, intensive orientation and training program for all institutional personnel on this issue.*

3. *The wardens should immediately screen the cases of all men housed in adjustment centers to determine if any alternative placement is possible. The Director's Office should review these recommendations.*

4. Initial placements in the adjustment centers should not be made without the approval of the warden or superintendent. The institutional Disciplinary Committee should submit a factual re-

port to the warden, with corroborated evidence where possible, and a rationale for the recommended action. The inmate should have the right to a hearing before the committee within three days of the report. Staff representation in behalf of the inmate should be tried.

5. Every 30 days (instead of the present 90) the Disciplinary Committee should review each adjustment center case. At this time the inmate should appear before the Committee. When an inmate is detained beyond thirty days, the Office of the Director should be advised and the case reviewed in the central office.
6. The Disciplinary Committee should have the authority to release men from the adjustment center at any time. In the interest of efficiency, the size of the committee should be reduced to three persons with the program administrator acting as one member of the committee, during the review of adjustment center cases.
7. The original concept of the adjustment center should be restored by increasing treatment efforts in all of these facilities.
8. Adjustment centers should be closed if the number of men housed in them is reduced. It is conceivable that some of these units, after thorough physical revamping (removal of heavy wiring, solid doors, etc.) could be used for regular housing.

The above suggestions which deal with classification, screening, and review processes would simplify present procedures. The aim is to fix responsibility and authority in these matters and to provide for greater accountability and flexibility. This should help insure that those who do not belong in the centers are not kept there.

VIII. INMATE CARE POLICIES: QUALITIES OF PRISON LIFE

It is unnecessary to dwell upon the stark nature of most penal institutions. With a prison go many undesirable things. Life in correctional institutions can often be destructive. The loss of freedom and independence, the everyday routine, and the lack of privacy result in a de-personalized human environment.

Institutional designs, particularly old institutions, create even more stress on prisoners. The aim at all times should be to make improvements whenever humanly possible. Conditions which make life more bearable must be diligently sought. The California Department of Corrections displays this concern through such programs as family visiting, the 72-hour pass, generally good visiting situations and fairly liberal privileges in general. The Department's compassion is commendable. Yet in the future it is probable that today's effort to normalize life in prison will be looked upon as a mere beginning. Today's efforts by California's institutions are hampered by their size, traditions, legal restrictions, long sentences and other hindrances. Suggestions in this area which may be helpful are:

Clothing

California's clothing regulations should be liberalized. There is no good reason why inmates must wear institutional uniforms. Colorfast, pre-shrunk, washable garments are readily available in a variety of materials, colors and prices. "Civilian" clothing boosts morale and helps "de-institutionalize" the prison. Clothing could be brought in by families or sold in the inmate canteen, and regulations controlling prices and quality could be established.

Mail

Full and complete censorship of mail, which is retained in some institutions, is unnecessary and should be abandoned in favor of a spot-type censorship or some other modified form. There is no clear relationship between the type of institution and the degree of censorship. This seems unnecessary. The rationale that the outgoing mail is read by night shift officers and therefore is not an inconvenience is hardly a defense for the practice. It is senseless to do pointless things. If an inmate wishes to convey an illicit message to a correspondent, he will not normally put it in an outgoing letter which is to be read, but will find other means. Incoming mail must be opened and examined for contraband, of course, for the security of the institution, but the practice of reading everything that goes in and out is unnecessary and wasteful, and fosters inmate resentment.

Visiting

Visiting arrangements and schedules should be changed in some of the institutions. At the two reception centers for men, there is visiting by "phone". This is a highly strained situation which makes it impossible for more than one member of the family at a time to talk with the newly-arrived prisoner. The explanation given is that new admissions are not well known and an open type of visit might present hazards. This position is hard to defend and is inconsistent with experience elsewhere. In institutions of two or three thousand population, it is doubtful that the visiting-room officer knows each inmate well. Visiting is probably more important at the outset of the inmate's prison life than at any other time. Restricting communication to the use of these awkward instruments is a highly unsatisfactory arrangement. It creates a negative impression of the Department and its administration with the inmate and his family.

Generally the Department's visiting conditions and regulations are liberal. Many institutions have open areas arranged so that families can sit and visit with their inmate relatives, and in some they may share picnic lunches. This kind of arrangement should be expanded to most of the other institutions, at least for minimum security prisons.

Almost all institutions permit visits five days a week, but there is one notable exception where a shortage of staff is said to allow only three days of visits. The condition should be corrected so that inmates there can receive the same visiting privileges as inmates of other institutions. In all places, visiting opportunities should be maximized on weekends, usually the only free time available to potential visitors who are employed.

Family or conjugal visiting, tested boldly and successfully by the Department at its Tehachapi institution, should now be expanded to all institutions. It is receiving favorable mass media and legislative support, impressing almost everyone as both humane and rehabilitative, as well as a source of improved inmate morale. Expansion should still be somewhat cautious, building on experience at Tehachapi, whose staff might well be involved in training others in the administration of this program.

Telephone arrangements which permit collect calls to families and friends should be installed in more of the housing units in selected institutions. This feature exists in one major institution and some camps. It is being used in a few other states with excellent success. There is no good reason why pay phones or some similar arrangement could not be initiated in all of the minimum, and at least some of the medium security institutions. Such a program costs the Department nothing and elevates inmate morale.

Living Arrangements

The Department should move firmly in the direction of the elimination of all double cells. At the time of this survey, the Department of Corrections was closing what amounted to a full institution and had cut back some of the forestry camps. It is understood that this is an economy measure; but it is disturbing to realize that the doubling-up situation, which is very bad in California and involves over 3,8000 men,[21] will not be improved at all. There is no need to dwell on the evils of putting two men into cells scarcely large enough for one. Aside from the homosexual implications, forcing men to pair up in a small cubicle, double-bunked, in which there is hardly room for one to turn around, is inhumane. The closing of any institution is debatable strategy when it results in the perpetuation of conditions elsewhere that are inhumane and should not be tolerated. It is argued that the population in walled institutions cannot be reduced because beds there are needed for the dangerous type of inmate now received. However, the validity of this contention needs to be demonstrated before it can be accepted as conclusive. As the Department has argued for years, California's prison system will remain far from ideal as long as it cultivates the illusion that physical restrictions rather than absorbing programs and good staff maintain order in an institution.

Basic amenities need to be better provided in living quarters. Many men are living in cells which have only cold water. In several places all cell furnishings and fixtures are inadequate and tawdry. Living units in the older walled institutions, and in some not so old, could benefit from brighter colors. Bed blankets need not be grey.

In general, a systematic program aimed at enhancing the esthetics of the institutions would be worthwhile. Some changes would require a fair amount of expense, but others very little. Bright colored paint is not any more costly than dull; it has been used effectively in certain places but not in others. Better lighting can enhance interior areas. (In older institutions, this is badly needed and would be expensive). Treating hard surfaces to cut down noise is also desirable. Modesty toilet panels, consistent with security, might be provided in group areas. Inmate-staff committees are useful sources of suggestion for esthetic decisions. Such committees improve relationships between the staff and inmates involved, and give inmates more motivation to maintain the appearance of beautified facilities.

The implementation of humanitarian measures, major and minor, often involves small things which make life more liveable. This is not simply generosity. When men dislike their surroundings, they react predictably, in prison and after they leave.

Staff and Inmate Relationships

Collaborative relationships between staff and inmates should be developed as much as possible wherever this is at all compatible with other prison functions. As mentioned earlier, interviews with ex-offenders successful in legitimate post-prison careers indicated that they regarded personal relationships with certain staff, particularly their work supervisors, as the most important rehabilitative influence. Comparison of inmate-staff and inmate-inmate relationships in different institutions of many types reveals that control of inmates by other inmates hostile to staff objectives varies inversely with social distance between inmates and staff.[22] When staff are not readily accessible to inmates, and not trusted, manipulative inmates can effectively claim to have "inside dope" and contacts to control the prison life of other inmates, peddle this alleged information and influence, and promote an inmate code of minimal cooperation with staff.

Inmate advisory councils exist in a few California prisons, with council members elected by the other inmates for a specified time under a variety of representation formulas. There is some staff fear of manipulative inmate cliques controlling the councils. Staff clearance or a good disciplinary record is sometimes required for eligibility to council membership.

In some Federal prisons a more persistently satisfactory system of organizing an inmate role in institution management is to have inmates and staff on all regular committees in charge of some aspects of prison life. These may include committees on sanitation, safety, decoration, and athletics--which affect the conditions of inmate life, and in which inmate custody or the confidentiality of information on individual inmates is not jeopardized. Inmates can be informed of budget limitations to which the committees are restricted, and can often make more useful contributions to committee work than many staff. More importantly, inmates feel a responsibility for the successful accomplishment of committee objectives, and identify with staff.

The most important source of good relationships between inmates and staff is still their daily face-to-face interaction. The best foundation for good relationships between inmates and staff exists when: (1) inmates are treated individually and collectively with respect, courtesy, and good humor; (2) inmates receive opportunities and privileges within the prison system, irrespective of race, creed or national origin; (3) staff show a sincere concern about the inmates; (4) inmates can readily and calmly communicate with staff; (5) inmates are given the maximum tolerable opportunity to make decisions for themselves in their daily activities instead of having to take orders without question on every detail.

There is no panacea for every type of tension that prison life can generate--especially the recurrently disruptive homosexual, ethnic and political tensions--but the five principles above, plus dispersion and absorption of troublemakers in constructive programs, are the best ways of keeping these tensions minimal.

IX. SUPPORTIVE SERVICES

While the primary business of a corrections system centers on the handling and treatment of its charges, many supportive services are required to accomplish this; some are essential to doing the job, others facilitate it. Personnel services are an example of the former, research the latter. It is important to examine California's use of some of those services which have much to do with the type and quality of overall performance.

Personnel and Training

If correctional programs are to be sound, they must be well staffed. Personnel throughout the system must be qualified and carefully selected. Capable employees are not obtained by accident; they must be sought through effective recruiting and they must be prepared for career advancement through an ongoing training program. To retain competent people in correctional service, job satisfaction and promotional opportunities must be available.

The State of California has many essential elements for the development of high caliber personnel, including a merit system, good employment conditions, recruitment, employee development programs, and generally adequate salaries. The organization of the Department is along modern lines, and there are no major staff shortages. The Department seems to be sufficiently autonomous and independent to be administered soundly.

What a corrections department emphasizes is often revealed by its distribution of personnel. If a department is overcommitted to the custodial function, for example, it will have a relative excess of security employees. This is not evident in the California Department. That it emphasizes rehabilitation is reflected in the number and quality of treatment personnel.

A good staff is developed by good training. There must be both initial and in-service training for all personnel. The Department's training funds have been depleted somewhat by a recent legislative action, of doubtful value, requiring almost all institutional employees to receive training in the use of gas. Only selected persons need this; training funds could be better used for other matters. In addition, the type and quality of in-service training varies considerably from one institution to another, dependent on institutional leadership. Only where training receives high priority is a satisfactory job done. The central office should play a more prominent role in deciding who is to be trained and what the content of the training courses should be, to insure that they are adequate at all institutions. It should clearly define the role of the training officer, since this role differs from one institution to another, and some training officers assume the job without any special preparation. Another suggestion is that more training should be developed for other than custodial personnel. Some of the other classes of employees complain that they are included in neither planning nor training, and that training needs of the total institution are not met.

Ideally, there should be State coordinated correctional training centers established to provide year-round, comprehensive programs to train all correctional workers and administrators.

The Department has recognized the value of more minority representation in the field of corrections, and has increased the number of its minority employees in recent years. The increase has been small, but it represents a hard effort at a task that is much more difficult than is realized by those who have never tried to do it. Not only is corrections lumped with law enforcement by members of minority groups, but the geographical location of institutions is often a drawback. In the past years there was little effort to recruit minorities in any phase of law enforcement, criminal justice, and corrections, so the tradition is lacking. The central office has assigned staff to attempt to recruit minority group employees and has instructed the institutions to do the same. Responsibility for such recruitment effort should be fixed in one person at every prison. The institutions do not have personnel officers who, in most other organizations, would be responsible for recruitment and hiring and who ordinarily would be asked to work on this task. Instead, the responsibility has usually been diffused, often to all department heads. Therefore, results depend upon the interest, enthusiasm, and energy of too many people--some busily occupied with other responsibilities. If the head of the institution cannot personally oversee the matter, he should designate one person or a small group representing different minorities to assume this responsibility.

Medical Services

Prison medical services are vital, and concentrated attention must be given to the development of a good program. California has tried to do this, and any general criticism of its total medical service program is unwarranted. The medical care and attention given the average California prison inmate is unquestionably better than that received by the average citizen.

Each institution has a good dispensary, adequate to its needs, or a complete hospital. Although medical staff is hard to get and there are several vacancies, these facilities are reasonably well-manned. Outside consultants are widely used. The range of medical services is excellent.

In one major respect, the services are more expensive than need be. More of the prisons have complete hospitals than is necessary. At the time of inspection, there were only a few bed patients in several of the hospitals.

The Department should consolidate its hospital services. A plan should be developed to replace some of the hospitals with dispensaries so that when geographically feasible, some hospitals can serve several institutions. To keep hospitals fully modern, heavy money outlays must be made almost annually. To staff each hospital adequately, certain basic personnel must be employed. An arrangement almost equally efficient and certainly more economical than the present one would be to make an institutional hospital responsible for major medical care for two or three nearby institutions. Several hospitals in the Department can then become dispensaries with attendant savings. Serious illnesses and major surgery can be handled by transfer as needed.

It is also suggested that in some locations, community hospitals should be used in emergencies or as the need arises. This arrangement would save money. It gives institutions having only dispensaries ready hospital coverage. The inevitable criticism of prison medical services would be lessened. No money would be saved, however, if the present practice of custodial coverage at the community hospital in virtually every case is continued. This practice is unnecessary and should be used only for serious offenders.

The renovation of the hospital at San Quentin should be completed. The state of the project makes any discussion of the wisdom of major renovations at this institution academic. Roughly three-fourths of the work has been completed, and the money should be provided to complete the project.[23]

The Department Director of Medical Services reports that Vocational Rehabilitation money is not being used to supplement the medical budget. It is urged that this be done. Other states have obtained these funds to improve the quality of medical services, especially in the areas of prosthetics, corrective surgery, and diagnostic evaluation.

Food Service

Mass feeding, in the armed services, prisons or elsewhere, invariably results in some complaints. Food prepared in large quantities cannot satisfy individual ethnic, religious, or family habits and tastes. Reasonable criticism is minimized, however, if meals are adequate in quantity, quality, variety, sanitation, and nutrient value.

California accomplishes this by adhering to recognized principles and standards of food service, including menu planning, central purchasing, cost control, maintenance of sanitation practices, and enunciated standards for preparation and service. All this is facilitated by a food administrator, in the central office, who supervises and reviews the food program. Technical printed material is distributed to the institutions to help upgrade knowledge and skills.

One criticism of the Department's food service applies to the surroundings in which meals are prepared and served. This is directly attributable to the often mentioned ill-planned, antiquated structures in the system. In these facilities the dining rooms are unattractive and the kitchen layouts are inefficient and hard to supervise or keep sanitary. Their use of dining room tables for card playing and other games between meals impedes maintaining them in a desirable condition.

Surroundings have an enormous influence on morale. Projects to make the food service areas more attractive should be developed, as responsibilities of inmate-staff committees. Lighter colors, background music, planters, murals are all possible ways to normalize eating conditions and to make meals more pleasant.

Research and Data Processing

Research and data processing will be considered together since they are administratively in the same unit and their functions are closely related. The statistics section is directly under the Department's Director of Research.

The principal function of a statistics section is to provide descriptive information about the agency's operations. Usually this is done on a routine basis. The research component's activities on the other hand, are primarily evaluative and analytical. There can be no neat line between these functions, however, as research uses statistical outputs, and may refine statistical categories.

The products of California's statistics and research sections have a deservedly high reputation. In both quantity and quality they are unexcelled by other states. The information turned out shows an efficient return on the investment, so it is not an indictment of the existing activities to point out that more needs to be done. The investment should be systematically and intelligently increased. Until this is done, the Department's management will be forced to rely too much on intuitive and educated guessing. Without the facts, the Department is unable to refute charges and criticisms which may be shallow and unjustified, and it cannot properly answer legitimate questions. Nor can it rationally defend its own needs or plans for the future. These problems are not hypothetical. Claims are now being published to the overall effect that none of the Department's programs has any rehabilitative value. Without better data, these charges cannot be adequately disputed. The Department should know what works and what does not, for different types of inmate. Some programs should be discontinued in favor of others. Resources are too limited to invest them in programs of questionable value.

Statistics-data processing. The California statistical reports are designed to be of practical use to the administrator. Data collection and processing procedures appear to be clear and thorough. Confidence may be placed in the accuracy of reports which are the end result of this process. The reports and tabulations are clearly presented--simple but not oversimplified.

There are, nevertheless, many descriptive tabulations the administrator needs which cannot be provided with the present system. No reports can be given on program involvement, either in summary form, or by way of tracking individuals through the system. "Program" here should be broadly construed as referring to treatment, work, custodial, and residential status. Program levels cannot be monitored nor programs evaluated. There is also no satisfactory way to answer many of the routine administrative questions which may arise: e.g., "How many men are there--today--in trade training courses? What are their characteristics? What percent complete trade courses? How many parolees use such training?" These are significant questions; they can only be answered at present by special studies or by manual routines. Without such answers many administrative decisions must be made on the basis of guesswork. As already indicated in the section on counseling, the conversion of narrative reporting to precoded check-off forms will result in better information for both statistics and case decisions.

The existing "unit records" type system should be replaced with a computerized information system which emphasizes program type data for management purposes. A change of the kind recommended is not simply, nor primarily, a matter of "adding a computer." It is a mistake to start deliberation with the hardware. Normally, the place to start is with a thorough study of management decisions, categories of data, and their relationship to decision outcomes and to the kinds of reports needed. California is fortunate in that the groundwork for this planning has been laid by its "Correctional Decisions Information Project" (CDIP), which is soon to issue a final report. Lacking this report, any endorsements must be tentative. However, it appears likely that the recommendation being made here could very well be implemented by adopting the CDIP plans which concern management functions.[24] Given high priority needs for construction and increasing operating costs, it is understandable that expansion of information systems tends to be deferred. However, the continued assigning of low priority to records-keeping and information systems will mean that twenty years from now everyone will still be in the dark about what really works and what does not. There will still be the need for the development of an adequate system of information. It should be recognized that a truly productive data system can suggest efficiencies which may defray much of the system cost and which will put the whole corrections endeavor on a sounder financial basis.

Research. A review of California research reports indicates a high level of professional quality and a genuine concern that research should have practical value. The practice, sometimes seen in agency research sections, of producing reports for someone's thesis rather than to assist the agency, is not present.

The highest priority for research is also the development of an automated management information system. Such a system is not limited to the production of routine reports. Evaluative results can be obtained on request from an automated information source once it is operational, which would now take months of laborious data compilation to accomplish. This facilitation of research is greatly needed. When programs are condemned for lack of efficacy, it usually only means that no effectiveness has been demonstrated. This may be mostly due to limitations of resources for evaluation. Evaluations done "manually" characteristically take one or more persons from six months to several years to complete. They cannot economically include extremely large samples. Under these constraints, it is obvious that most programs go unevaluated most of the time, and that those which are evaluated would need to make a large impact to show up as worthwhile.[25]

The only feasible solution appears to be to move to automated techniques. The automated data system which has already been recommended should be designed to include follow-up data along with current data on programs and offenders, so that separate programs may be evaluated as to their relative effectiveness for different types of offenders in the long run. Cost-effectiveness estimates of the long-run economic consequences of specific programs for different types of offenders should also be undertaken, as this is probably the most persuasive type of budget justification data.

A somewhat different kind of research, done only on a limited scale in California Corrections, is systems analytic research. Hard core operations research techniques have done little in the past to improve treatment programs in any human services agency, but there is promise of increasing efficiency by studying logistic and administrative operations. Greater use of systems techniques should produce savings which can be put into program improvements.

An additional type of corrections research involves setting up experimental programs. This is the only rigorous way to test a new technique or concept, and it is not always very expensive. It is mostly a matter of limiting a new program at first to a fraction of those considered eligible for it, selecting this fraction randomly, then comparing the subsequent records of those selected with the records of those not selected. Without such experiments, many promising ideas will never be properly examined for value. At least some such experimentation should be ongoing--a little less sporadic than it has been--in the California system. Some funds expended for traditional programs of unknown value should be diverted into rigorously examined experimental pilot programs. LEAA money may be available for this kind of effort.

X. ADMINISTRATION AND ORGANIZATION

The California Department of Corrections has the essential elements of sound administration. The enabling legislation is broad and flexible. The Department is headed by a professional administrator, and there appears to be no unwarranted political interference.

The Department's administration has a clearly enunciated and progressive statement of philosophy. There are rules and regulations to guide all institutional personnel. Procedures manuals have been prepared to guide staff. Planning and research functions are ongoing and considered important by the Department.

The operating budget of the Department has been generally adequate. This is not to suggest that the Department has received all the money it has needed, particularly in the areas of maintenance and capital outlay. California's present financial circumstances must certainly have major effects on the Department's planning and operations.

The Department is staffed by qualified people selected upon a merit basis. Career personnel from all divisions are eligible for promotion to all levels of management. Lateral moves in the interest of executive development are common.

The principle of "line and staff organization" is followed. There is division of functions among the staff. The role of the technical specialist, and there are a good number of them, is recognized, and they are used to provide specialized guidance and counsel. They do not issue direct orders.

Patently, the Department desires to be progressive. A willingness to take risks is displayed. Examples include: the 72-hour pass, family visiting programs, and the community centers.

Any department, controlling nearly 40,000 offenders and with 7,000 employees, necessarily has some administrative concerns. Consistency of philosophy, policies, and practices throughout an organization of this dimension is extremely difficult to maintain. Some of the differences among institutions, however, might be reduced. More specific and definite Department-wide standards need to be implemented in certain areas. Policy statements should be reviewed and simply written to eliminate ambiguities.

While institutions can be handicapped if regulations and guidelines are too detailed and restrictive, some of the suggestions made in this Report might not have been in order had all institutions met similar standards of practice. For example, there were good in-service training programs in some places, but not in others. Adjustment center programs and policies vary more than can be accounted for by differences in the inmate populations, in physical plant, or custody level; they could be corrected by applying sound policies more uniformly. The guidelines provided in classification manuals and directives are often worded in such a qualified and general manner that they can be cited to justify poor as well as sound practices. Where the institutional administration is highly competent this presents little problem, but where it is less adequate, standards of performance are usually lower.

A related problem in institutional - central office relationships may be that too many layers of authority, individuals and committees, are involved. For example, the admission policy and criteria for the adjustment centers could conceivably involve the following committees: Adjustment

Center Committee, Segregation Unit Committee, Institution Classification Committee, Disciplinary and/or Classification Committee of any program unit, and the Adjustment Center Segregation Unit Sub-Classification Committee.[26] There is the danger that Departmental policies may sometimes misfire in practice when responsibility becomes this diffuse.

The classification and transfer procedure personnel involvements are just as numerous. This complex machinery diffuses both control and responsibility and presents communication problems in general. It may widen the gap between policy and performance.

The lines and responsibilities of administration should be simplified.

XI. PHYSICAL PLANT

Most American prisons have major physical plant deficiencies. They are either poorly located, too big, too old, or atrociously designed. The size and location of prisons are often politically determined.

There are few prison facilities with a readily perceptive harmony of design between the buildings and the philosophy of rehabilitation. The unhappy practice of adding beds to already badly designed institutions to save money is common. Such additions are often made to institutions too big to begin with.

Not surprisingly, the oldest institutional plants are usually worst. They are not functional, and today's programs do not fit into them. Simple conforts are often missing. Control measures, such as good locking mechanisms, are usually lacking. Sanitation, simply because of the age of the institution, is a struggle to maintain. Since there is never enough maintenance money for prisons, the deterioration is accelerative. Major remodeling is seldom attempted, often because its cost would be prohibitive if adequate, and often an adequate remodeling is impossible because of the terrain in the location of other structures.

The unfortunate end result of all this is that a correctional administration like California's, which tries to be progressive, has to live with a legacy of inadequately designed institutions which imposes almost insurmountable obstacles to achievement of that aim. These handicaps do not go away; they increase with age.

Changes in Plant Use

Some California institutions are such classic examples of prison obsolescence it is hard to believe much good can be accomplished within their perimeters. There are many serious problems. The following recommendations are of major import:

1. At the time of inspection, the California Men's Colony, West Facility, was scheduled to be closed. It is old, of frame construction, and a serious fire hazard. It should never be reoccupied.

2. Manifestly, San Quentin and Folsom should be abandoned.[27] Several recommendations calling for improvements in these institutions are made in this Report. These were included only because there seems little certainty that these facilities will be closed in the near future. They should be closed. So long as they exist, they impede California's correctional efforts and tarnish its image.

   They are immense, yet do not have adequate space for modern programs. They are not secure or safe. Decent living conditions are almost unattainable in them, and they are ugly and depressing.

   Any major remodeling, in either facility, would cost many millions of dollars. If there is a choice between remodeling and a new facility, the latter choice is by far the better.

3. In the event California builds more prisons, they should be small in size, located in metropolitan areas, and unlike any of its designs to date. One wonders, when the problems and rehabilitative results are measured, if large institutions really do save money. The "telephone pole" design institution, of which California has several, is impractical and oppressive to the senses, with its long corridors, repeated doorways, shut-in atmosphere and great size. Some of California's staff, so long conditioned to compromising by necessity, speak of another California Men's Colony, East Facility, as the best answer to any needed future construction. This is an institution of 2,400 men, broken up into four sections of 600 men each. It is self-deception to believe that in all important respects this is like having four small institutions. Men's Colony, East Facility, is a better design than its predecessors, but still has serious imperfections. For example, major trouble, highly contagious in prisons, would probably not be contained by this kind of plant, where the housing sections are contiguous and visible to each other. Also, as inmates point out, some buildings (gymnasium, library) used in common by all four sections are only available once or twice a week to each inmate. California should not be content to settle for this type of compromise construction when it has seen what problems physical plants can present.

4. As will be indicated in the next chapter, California is beginning to catch up with some other states and with Federal prisons in the use of community-based penal institutions. The latter are sometimes called "halfway houses," though this designation is also applied to residences for parolees and even to homes for homeless prison and jail dischargees. There are important differences in the functions and the administrative problems of these diverse types of residential institution, despite their

all being labeled "halfway house". Further confounding of practices with much different implication occurs in California because of "work furlough". As discussed earlier,"work furlough" includes 72-hour leaves shortly before parole to enable a prisoner to make home and job arrangements, and it also refers to daily release from prison to work at a job in a nearby community, starting a few months before parole. In most prison systems where these practices exist, the former is just called "furlough" and the latter called "work release".

Community-Based Institutions

The chart on the following page indicates that only two of all Department of Corrections' institutions (San Quentin and California Men's Colony) are conveniently near, i.e., within ten miles of, major population centers. While this poses serious handicaps to effective reintegration, it can be partially overcome by developing small, community-based facilities and programs, notably work furlough and pre-parole residential centers.

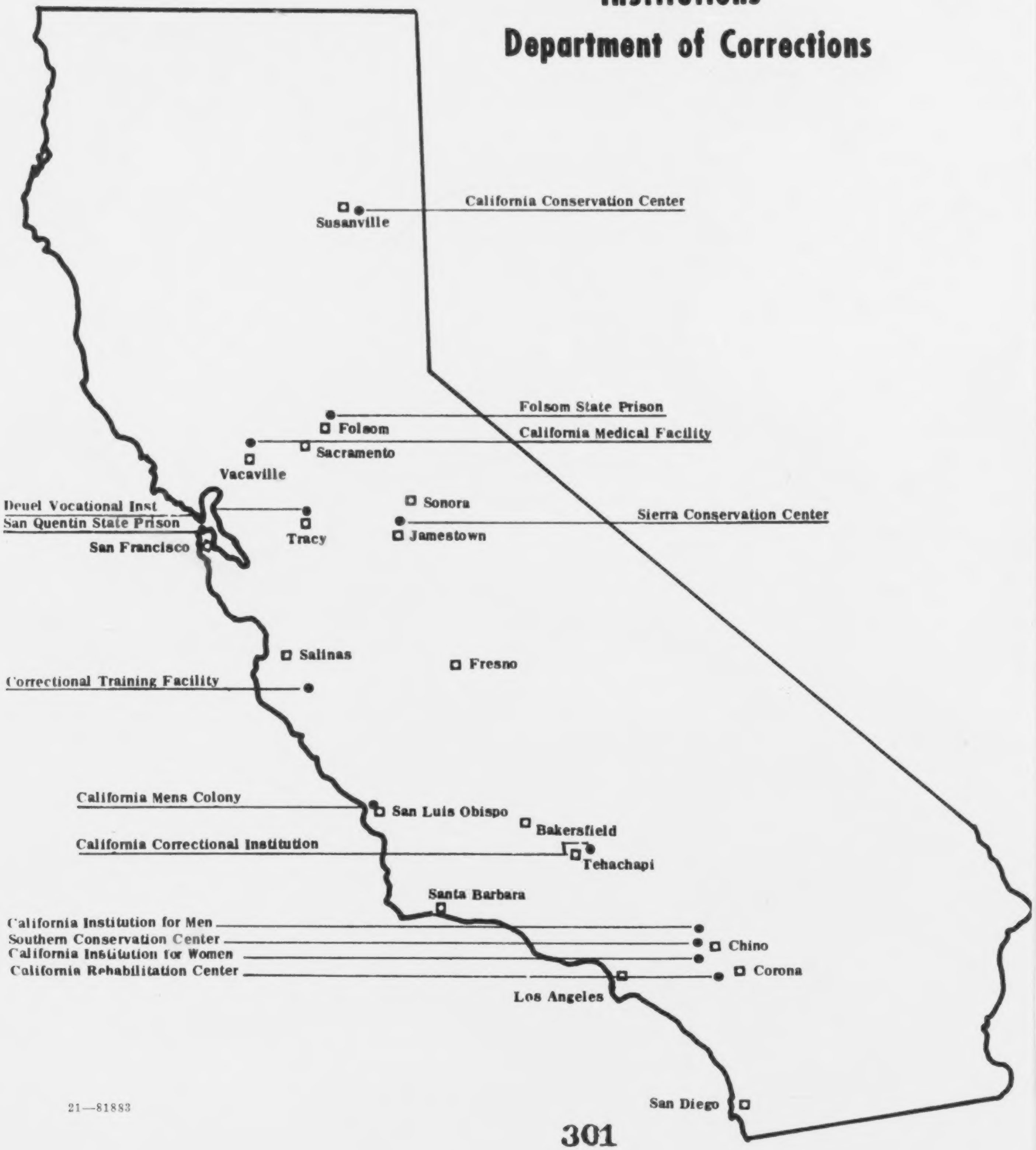
There are two major functions of work furlough, in its "work release" form, of departing daily to a job. These are: (a) for diagnosis, to improve judgment of a prisoner's readiness for parole by observing his behavior on daily release to the community instead of in a unnatural setting of a prison; (b) for treatment, to accustom him to life outside of prison on a more gradual basis than occurs if he is abruptly released to almost complete freedom by parole or by discharge at prison. Work release has been severely limited in scope by the fact that prisons are usually located in semi-rural or rural areas where there are not many jobs, and community conditions are significantly different from those of the metropolitan areas to which most of the prisoners will return when paroled.

The idea of having a prison system include small residences in the centers of the large cities, to which its prisoners would in a few months be paroled,was pioneered in several cities in the early 1960s by the U. S. Bureau of Prisons. In such centers - as in those this Federal agency has operated for nearly a decade in East Los Angeles and also, for a few years, within the Long Beach YMCA - the residents go out daily to seek jobs and to work at them. Residents are gradually given more frequent leaves for family visiting and for recreation. Most important, counseling is focused on the real and immediate problems of life in the community, rather than--as in prison--on adjustment to institutional life or on plans or concerns about a "hypothetical" future. Finally, those in the community residential centers who misbehave may be dealt with promptly. Depending on the severity and cause of their infractions, they may be denied recreational passes, be transferred temporarily to jail, or have their parole date deferred, and--if the deferral is for an appreciable period--be sent back to prison. Thus, in these community centers there can be an immediate diagnosis, counseling, and if necessary, disciplinary reaction.

The first community residences of the California Department of Corrections were created primarily for parolees, rather than for prisoners. This

CHART I.

Institutions Department of Corrections


California Conservation Center
Susanville
Folsom State Prison
Folsom
California Medical Facility
Sacramento
Vacaville
Deuel Vocational Inst
San Quentin State Prison
San Francisco
Tracy
Sonora
Sierra Conservation Center
Jamestown
Salinas
Fresno
Correctional Training Facility
California Mens Colony
San Luis Obispo
Bakersfield
California Correctional Institution
Tehachapi
Santa Barbara
California Institution for Men
Southern Conservation Center
Chino
California Institution for Women
California Rehabilitation Center
Corona
Los Angeles
San Diego

California Correctional Institutions for Adults

California Conservation Center, Susanville -- About 310 miles northwest of San Francisco via Reno; medium-minimum security; 1,200 inmates; special training for inmates slated for later assignment to an outlying 80-man conservation camp; dormitory housing; Merle R. Schneckloth, superintendent.

Folsom State Prison, Folsom -- About 15 miles east of Sacramento on Highway 50; state's second oldest prison; cell housing; maximum security; 2,400 inmates; Walter E. Craven, warden.

California Medical Facility, Vacaville -- On Highway 80 between San Francisco and Sacramento; psychiatric programming for 1,400 inmates; state's northern reception center; cells and dormitories; L. J. Pope, M. D., superintendent.

Deuel Vocational Institution, Tracy -- On Highway 50 about 60 miles east of Oakland; medium security; for younger offenders and hard-to-manage juveniles; 1,650 inmates; cell housing, emphasis on academic and vocational training; L. N. Patterson, superintendent.

San Quentin State Prison, near San Rafael -- A half hour drive from San Francisco via Highway 101, state's oldest and largest prison; medium-close security; 3,900 inmates; cell housing; L. S. Nelson, warden.

Sierra Conservation Center -- Near Sonora and west of Yosemite Park; medium-minimum security; 1,200 inmates; pre-camp training; dormitory housing; Howard Comstock, superintendent.

Correctional Training Facility, Soledad -- Just off Highway 101 about 25 miles south of Salinas; a three-unit medium-minimum security institution; 3,400 inmates, each unit a separate program but joint use of central services; cells and dormitories; C. J. Fitzharris, superintendent.

California Mens Colony -- On Highway 1 near San Luis Obispo; a two-part institution; minimum security unit for old men; medium security facility divided into four 600-man sections under separate program administrators; total of 3,700 inmates; cells and dormitories; H. V. Field, superintendent.

California Correctional Institution, Tehachapi -- About 50 miles southeast of Bakersfield via Highway 466; a two unit medium-minimum security institution for 1,400 inmates, heavy emphasis on group living; dormitory housing; G. P. Lloyd, superintendent.

California Institution for Men, Chino -- About 60 miles east of Los Angeles; minimum security; 1,300 inmates; unarmed perimeter; location of state's southern reception center; E. J. Oberhauser, superintendent.

Southern Conservation Center, Chino -- Medium-minimum security; 550 inmates; precamp training; dormitory housing; W. T. Stone, superintendent.

California Institution for Women, near Chino -- State's only facility for women felons; reception center, psychiatric unit; housing in individual rooms, cottage style design; 900 inmates; Mrs. Iverne Carter, superintendent.

California Rehabilitation Center, Corona -- Inpatient treatment for narcotic addicts in the state's civil committment program; 2,400 residents includes 325 women; heavy emphasis on group counseling; dormitory housing; Roland Wood, superintendent.

may have been a serious handicap. A person not yet on parole who gets into the community corrections center before parole compares himself with his reference group of inmates still in prison, and therefore, feels rewarded and obligated by the community center. Conversely, the parolee restricted to such a center compares himself with the reference group of less-restricted parolees and resents restrictions there. California's early experience was with a Federally funded parole residential unit, in East Los Angeles, for narcotic parolees. It was not spectacularly successful.[28]

The State's subsequent experiences with parole residences have been better, although these centers still have the rehabilitative handicap of collecting the most difficult parole cases in one place. Since 1970, the Central Correctional Center in Los Angeles, California, has followed the Federal pattern, now duplicated by several states, of having a community residence primarily for a cross section of prisoners in their last few weeks or months before parole. It also may briefly shelter a few parole emergency residents, but it functions primarily to assist a cross section of male and female prisoners to prepare for parole in the Los Angeles area. It has already repeatedly demonstrated clearly rehabilitative advantages, especially with difficult cases, during an unusually stressful period of release from prison (aggrevated by high unemployment rates in the community).

Experience in various parts of the United States has shown that community correctional centers can operate successfully in a variety of relatively small sizes and in diverse physical settings, including leased or purchased small hotels, leased sections of large hotels, sections of residential YMCAs, a few units of a large apartment building and separate family-type houses. No exact figures can be given for the number of community-based facilities the California system needs or can use, but it is clear that the most important type of facility expansion needed by the Department is in a variety of small community correction centers to facilitate release in all major cities of the State.[29]

XII. SOME DISTINCTIVE PROBLEMS

Any discussion of the present California system should recognize the problems that are more or less distinctive of this State.

First, as mentioned in the Introduction, no other state approaches California in number of incarcerated felons. This large number is due partly to the size of the general population and the State's high crime rate, but it also results from the long prison terms. A recent inquiry of five comparable states[30] revealed that none has median terms as long as those in California. California generally keeps men about fifty percent longer than do these other states. Size of the total prisoner population creates a variety of administrative problems and adds directly to operating expense.

Second, the size of the individual institutions is very great. Most states have no prison with as many as 1,800 inmates; none has more than two, except California, which has eight.

Third, California's correctional system, perhaps because of the State's political climate, is obliged to operate in a flood of publicity. While public concern and awareness are essential, prison operations tend to be sensationalized to an unwarranted extent. In a system of this size more incidents will occur than in a small system, and each gets considerable publicity, especially when it evokes a barrage of claims and charges. Such publicity makes minor events generate tremendous external and internal pressure for policy change. Isolated occurrences may thereby dominate the prison system for long periods without reference to the system's total condition and needs. Little can or should be done to restrict publicity itself, but the publicity an event receives should not determine its impact on routine procedures.

A fourth matter of current importance is the probation subsidy act. While this legislation has reduced prison intake, the intake is now alleged to contain a higher proportion of assaultive individuals and multiple offenders. The true nature of this intake change is not clear, although the increase in problem cases has been emphasized by Department personnel, and it is partly substantiated by research. Crimes against persons increased appreciably between 1960 and 1968 as a proportion of all grounds for commitment to prison. There was also an increase of commitments to prison of persons with three or more prior jail or juvenile commitments. Finally, there was a marked increase of persons admitted to prison when 20 to 25 years of age--the peak age range for assaultive crimes--even though median age of new prisoners admitted remained constant at just under 32 from 1960 to 1968.[31]

It is especially clear that the prison intake has been reduced in numbers, far below what had been expected. At present, then, a major problem arises in planning for the future. Probation subsidy has been expanding, but it may be nearing its potential limit and it could even be eliminated entirely if local or legislative dissatisfaction grows. In short, it is a program which has given the Department of Corrections a much needed breather from new construction, but which now has an uncertain future.

Reduction in the Median Term

The probation subsidy experience has shown that many men can be kept out of prison entirely. A logical corollary would seem to be that many men would benefit from less imprisonment. The gap which now tends to exist between no prison at all and several years of confinement seems indefensible. There are many advantages to reducing prison terms. Putting these together suggests the possibility of a broad-scale restructuring of the California penal system which cannot be accomplished in any other way.

If prison terms were cut back to a median of two years or less, instead of the present 35 months, the count would be cut by at least 8,000 men. The population would be more amenable to programs of rehabilitation not only because of the smaller number, but also because of the shorter terms. The following specific results could be accomplished:

1. Double celling would be eliminated--a decline of 2,000 would completely eliminate the need for double cells.

2. The walled institutions could be reduced to manageable size and their worst living units closed. There are several alternatives: both Folsom and San Quentin could be closed, one closed and the other cut back, or both reduced to a more reasonable size. These alternatives are listed in what is probably decreasing order of cost savings but increasing order of operational convenience. Secure housing will always be needed for some men, but this should be available at other California institutions once the prison population is reduced.

3. Camps could be used more widely. When terms are shorter, a larger proportion of men are near their out dates and hence not so escape-prone; they can be given camp placement. It has already been suggested that more educational services be introduced into some of the camps. This would answer one major objection to them from a rehabilitation standpoint.

4. Community programs could be expanded. This is a distinct need, and it would be more prominent with a larger proportion of the prisoners near their release date.

5. Idleness could largely be eliminated. A reduction of institutional population would reduce the labor force without proportionately reducing the amount of work to be done.

6. Incidents would be reduced. Much of the frustration and pressure comes from the long terms. The dissatisfaction California prisoners most often express is with the indeterminate sentence, for knowledge that imprisonment will be for an unknown number of years is extremely frustrating. The uncertainty would not be so hard to accept if most men could see a high probability of release in a few years. A man with a chance to get out soon, if he stays out of trouble, is much more likely to avoid trouble. Also, the reduced count would contribute to keeping order simply by reducing crowding and the trouble it engenders.

7. Treatment programs could be made more intensive. A small part of the savings in operating costs from a reduced population would provide much better treatment programs. School waiting lists would be eliminated. Caseloads for counselors would automatically be reduced. Additional space could be devoted to psychiatric beds.

Shortening of terms of confinement is a course of action which all responsible authorities should work for in California. Those problems now most urgent would be greatly ameliorated, and at a cost savings.

Neither of two apparent alternatives to this plan are without problems:

1. Modernizing the present system through replacement. The cost, at over $20,000 a bed for replacement of the walled prisons, would be enormous. At this rate gradually replacing the 2,800 bed facility at San Quentin would cost an estimated $56,000,000. Even

then, there is nothing to suggest that new cells would alleviate many of the existing problems.

2. Marked further expansion of probation. It is suggested that counties could, to the degree possible, supplement probation with local community-based institutions, to handle those offenders for whom state prison is not necessary. However, these local institutions would have to develop more effective programs and provide various degrees of custody. Facilities for State charges need to be smaller and better tied to the communities, but there is also need for them to be under central professional administration and program diversification.

It is held, however, that for those offenders *who have not yet been committed to State institutions*, there is merit in the development of locally-operated, community-based programs and institutions. It is believed that the best treatment for such individuals can be provided at the local level, and that such effective local intervention should divert offenders from the State system.

In summary, the best solution (and there is almost no second best) calls as a first step for the drastic reduction of prison terms back toward what is elsewhere more customary. It is evident that long prison terms have not made California any more "crime free."

This change is urgently needed. It should be emphasized that reducing the count by shortening terms will work to the advantage of prison programming--short termers can be handled more readily and with less secure measures than the same number of long termers; it will give those committed to prison more exposure to programs which can do positive good--the illiterate can be taught to read and write; the unskilled can learn a trade; more of the mentally disturbed can receive psychiatric treatment; counseling can be intensified.

It has not been suggested that the indeterminate sentence be scrapped. Flat sentences do not necessarily solve problems, as other jurisdictions have discovered. The solution lies in using the indeterminate sentence more wisely, by a change in parole policy rather than a new criminal code. In no other way can affirmative action be brought to bear on so many California prison problems so economically, so quickly, or so feasibly.

[1] Department of Corrections, Memorandum to R. K. Procunier, et al, from Marie Vida Ryan, July 31, 1970, State of California.

[2] Department of Corrections, Training Programs Index, State of California.

[3] Study Staff Questionnaire of California Institutions, December 5, 1970.

[4] John M. McKee, "Methods of Motivating Offenders", in Proceedings of the 97th Annual Congress of Correction, American Correctional Association, (Washington, 1968).

[5] Study staff observations of prison education programs in other states, notably Wisconsin, reinforce this observation.

[6] In respect to this issue, a representative of the California Department of Human Resources Development reported to the study staff, "Three-fourths of the men I have interviewed have a strong need of further or initial vocational training, due to either a total lack of skills, or having been trained in a trade that is in surplus in the current labor market."

[7] Robert M. Dickover, Verner E. Maynard, and James A Painter, A Study of Vocational Training in the California Department of Corrections, Research Report No. 40, Department of Corrections, State of California, (Sacramento, January 1971).

[8] Fred T. Hoover, Work Furlough Practices in California, 1968; San Mateo County Sheriff's Department, (Redwood City, August 1968); California Taxpayers Association, Work Furlough Programs in California Counties 1967-68: A Workload Study, State of California (Sacramento, June 1968); California Council, National Council on Crime and Delinquency, Work Furlough-A Time-Tested and Tax Saving Program for your Community, (Oakland, April 1966).

[9] Robert M. Harrison and Paul F. C. Mueller, Clue-Hunting About Group Counseling and Parole Outcome, California Department of Corrections, Research Report No. 11, (Sacramento, 1964); David Ward, "Evaluation of Correctional Treatment: Some Implications of Negative Findings," Proceedings of the First National Symposium on Law Enforcement, Science and Technology (Washington, D.C.: Thompson Book Co., 1967).

[10] Stuart Adams, "The PICO Project" in Norman Johnston, Leonard Savitz, and Marvin E. Wolfgang, The Sociology of Punishment and Corrections, (New York: John Wiley and Sons, 1st Edition 1962 and 2nd Edition 1970). Also published as "Interaction Between Individual Interview Therapy and Treatment Amenability in Older Youth Authority Wards," in Inquiries Concerning Kinds of Treatment for Kinds of Delinquents, California Board of Corrections, (Sacramento, 1961).

[11] See J. Douglas Grant and Marguerite Q. Grant, "A Group Dynamics Approach to the Treatment of Nonconformists in the Navy," Annals of The American Academy of Political and Social Science, Vol. 322 (March 1959), pp. 126-135.

[12] Harrison and Mueller, op. cit.

[13] Francis J. Carney, "Correctional Research and Correctional Decision-Making: Some Problems and Prospects", Journal of Research in Crime and Delinquency, Vol. 6, No. 2 (July 1969), pp. 110-122.

[14] See: Daniel Glaser, "Automated Research and Correctional Practices", California Youth Authority Quarterly, Vol. 8, No. 4, (Sacramento) pp. 24-31; Robert M. Carter, Program Evaluation: One Model and a Program Approach (Presentence Report) for Probation and Parole, Research Report, Vol. 2, No. 3, Department of Institutions, Division of Research, State of Washington (Olympia, April 1969).

[15] Department of Corrections Memorandum, State of California, (Sacramento, January 18, 1971).

[16] Daniel Glaser, The Effectiveness of a Prison and Parole System, Revised Edition, (Indianapolis: Bobbs-Merrill, 1969), Chapter 5; David M. Lowson, City Lads in Borstal, (Liverpool: Liverpool University Press, 1970).

[17] Department of Corrections, Correctional Industries Operations, State of California (Sacramento, June 30, 1970).

[18] An example of a policy useful in this area is the following: officers and assignment supervisors may be authorized to assign extra-duty tasks, forfeit recreation privileges, or order top-lock of minor rule violators without making a formal report and a consequent disciplinary hearing. Such penalty can involve no more than one 24-hour period and the shift commander or custody supervisor must be informed in each case. The writing of a formal report for minor infractions should not be considered until the man has demonstrated an unwillingness to respond to these techniques. The accused inmate, however, must always have the right to request a formal report and a disciplinary committee hearing in lieu of this action.

[19] Department of Corrections, Memorandum January 7, 1971, State of California. 241 men serving disciplinary sentences of 30 days or less; 983 men serving for own protection or protection of others.

[20] It is understood that this change will be made shortly.

[21] Department of Corrections, Memorandum December 3, 1970, State of California. The Department is now starting an effort to eliminate all double-celling by the end of the 1971-72 fiscal year, as a response to anticipated declines in institutional populations.

[22] Glaser, The Effectiveness of a Prison and Parole System, op. cit., Chapters 5 and 9.

[23] Department of Corrections, Memorandum, February 11, 1971, State of California.

[24] California Correctional Information System: Preliminary Information System Requirements NIMH Grant 5 R11 MHo2092-02, (Sacramento: Correctional Decision Information Project, April 1967).

[25] Without going into great detail, let us assume that graduates of a given treatment program are followed up and it is found that half do not get into further trouble. If in fact 10% of those successes are due to the program and would have failed without it, a 200-man follow-up (100 "treatment" and 100 "control" cases) would nevertheless normally not detect this program impact. That is, the researcher would conclude that there is "no significant difference" by standard statistical methods. Since that much treatment impact often is unrealistically high to expect from any single corrections program, since most programs have much different effects for different types of prisoner, and since 200 is a large sample, it can be seen that it is dificult to prove correctional programs are effective by traditional research procedures. The point of this example is that one should not necessarily conclude that a failure to show significant results for a small-scale program follow-up means that the program is useless, especially if the follow-up research cannot use a rigorous experimental design.

[26] Department of Corrections, Inmate Classification Manual, State of California (Sacramento), Chapter V.

[27] Additional support for closure of San Quentin and Folsom may be found in James Robison, Technical Supplement #2, The California Prison, Probation, and Parole System, 1969, Office of Research, California State Assembly (Sacramento, 1969), p. 112.

[28] Several research reports have been published on this initial experiment. These include: Gilbert Geis, "The East Los Angeles Halfway House Two Years Later," in Rehabilitating the Narcotic Addict, Vocational Rehabilitation Administration, H.E.W., (Washington, D.C., 1966), pp. 231-7; Sethard Fisher, "The Rehabilitative Effectiveness of a Community Correctional Residence for Narcotic Users", Journal of Criminal Law, Criminology and Police Science, Vol. 56, No. 2, (June 1965), pp. 190-6.

[29] For additional information about California's community correctional centers, the reader is referred to the Parole Task Force Report, Correctional System Study, State of California (Sacramento, 1971).

[30] Illinois, Ohio, New York, Texas, Michigan.

[31] Public Systems, Inc., A Study of the Characteristics and Recidivism Experience of California Prisoners, (San Jose, 1970) Chapter 2.

CHAPTER IV

PROGRAM HIGHLIGHTS FOR PRISONS

The preceding chapter described the current State of California prisons. It is appropriate now to undertake a national--and even international--review of recent trends and programs in prisons, and of influential commentary and proposals on prison change. The observations are submitted in the hope they may be helpful to California's prison administration. It is also recognized that some of the trends and programs discussed may already be planned or operational in California.

I. PRISON MANAGEMENT AND THE TEAM APPROACH

The "team approach" in prison management may well be the trend that one should note first. Its necessity is perhaps most lucidly indicated by the following still valid remarks made a decade ago by Clarence Schrag, in discussing traditional staff relationships in prison policy formation:

> "Frequently persons in highest authority are far removed from the scene of contact between staff members and inmates where the relative worthiness of alternative decisions regarding specific situations are based chiefly on facts reported by subordinates. Therefore, administrative judgments are sometimes jeopardized by the distortions of fact that tend to occur when reports are repeatedly reviewed, digested, and passed upward through the ranks of the administrative hierarchy. In addition, the highest authorities may be among the last persons to learn about the impact of their decisions upon the relations between staff members and inmates....
>
> Again, the officers who are most immediately affected by correctional policies are the ones who play the least part in policy formation. The task of low-ranking officers is to carry out orders, not to evaluate them. Feedback, such as criticism of directives received, is minimized, and in some institutions no official procedure for such reverse flow of communication is available. When reverse flow of critical comment is tolerated, it is...not treated as a matter of policy...."[1]

Probably the most important recent step in team management is the change from a single classification committee for an entire institution to separate treatment teams for the various components of the institution. Traditionally, the warden or an associate warden chairs the classification committee which consists of heads of each major staff component--the director of education, the director of industries, a chaplain, the chief medical officer, the senior custodial captain, the psychologist or psychiatrist (if the institution has one) and perhaps one or two others. The mix varies somewhat in different institutions, and changes over time in each. The committee meets for a few hours at intervals which vary greatly in different prisons. Seldom are these conferences more frequent than once a week; often they are held but once a month and there are postponements even on such schedules.

At committee meetings a case file is on hand for every inmate to be considered and every committee member is given a copy of the latest casework report on each inmate. For new inmates, the committee decides on an individual program of assignments to housing, work, education and other activities, with reception center proposals presumed to be their first consideration. However, institution needs and the committee's judgment of the inmate also affect its decisions. For inmates not new to the institution, the committee may consider proposed changes of assignment, transfers to another institution, recommendations to the parole board, or other matters. Often the committee gives long-term inmates a routine program reviewed periodically, but it seldom does this as frequently as once a year.

Under this institution classification committee system, caseworkers usually divide the inmate population by some randomization procedure, such as each having all inmates with certain last digits in their prison number, a procedure scattering their caseload all over the institution and minimizing the proportion whose prison experience they can observe at first hand. Actually, the caseworkers seldom leave their offices to obtain information: they receive copies of disciplinary reports, education reports, medical reports, reports on work performance, and so forth. Usually the work and conduct assessments describe almost all inmates as "good" or "average", especially--as is often the case--when they are prepared or filed by inmate clerks. Finally, the caseworker calls in the inmate for an office interview and this interview is the main basis for his report to the classification committee. This report is transmitted to all the top officials forming the committee, who depend on it for their appraisals of the inmate. Incidently, these reports are also usually their primary basis for appraising the caseworker, so it is understandable that he often devotes his main attention to polishing the reports rather than to enhancing his influence on inmates.

As the classification committee considers each inmate, the caseworker who prepared the report on that inmate is present to summarize his report orally and to answer questions from committee members. When consensus on a decision is reached, the inmate is called in and it is discussed--usually briefly--with him. On some decisions the inmates are not called in. All of this contributes much to the integration of different staff points of view, but only in the smallest prisons does it involve, for most inmates, staff who know them personally. A classification committee often spends no more than ten or fifteen minutes per year on the average inmate in its institution.

The classification team system, by contrast, gives each caseworker a caseload consisting of all inmates in a particular section of the prison's residential, work or education facilities. If possible, it gives him an office at his caseload's location. He is part of a team for these inmates, the team including also the senior line staff of that unit, and lower level representatives from each of the major staff components--education, medical, and so forth. The team may also include or call in line officers dealing directly with the inmates it is considering, or have a team member consult these officers outside the meeting. Often a representative of central management sits in on team meetings, especially when such teams have completely replaced the institution classification committee. The teams, however, may coexist with a central committee that considers only those cases on which a team recommends transfer to another institution or other major action. The classification team members see each inmate casually almost daily, in their normal prison life, and know all the inmates and staff in each inmate's social environment. This places the team members in a much better position to assess each inmate, to discuss problems with him on the basis of personal relationships, and to consider his case frequently. The team may be authorized to make most disciplinary as well as classification decisions without reference to a central committee. This can make large prisons much less impersonal than they otherwise would be.[2]

More team structuring of all unit staff for prison casework decisions and responsibilities at lower line levels is considered worthy of exploration.

II. INMATE INCENTIVES AND RESPONSIBILITIES

Expansion of inmate incentives and responsibilities is the development most clearly associated with institutional evidence of rapid rehabilitative change in many inmates. This expansion has both an individual and a group form. In its individual form--often designated "behavioral modification"--it is a revival of the nineteenth century "mark system", rendered sophisticated by its new roots in Skinnerian psychology. Programmed education, discussed in detail in the preceding chapter, is one of its applications.

When this approach is applied to almost all aspects of the inmate's life, it is often called a "token economy" system. This is best exemplified at the Robert F. Kennedy Youth Center at Morgantown, West Virginia, and the El Reno (Oklahoma) Reformatory, both in the Federal prison system. Using plastic "credit cards" or tokens, inmates in these programs are credited with points analogous to dollars for all education, training and work completed, are fined for misbehavior, and use their accumulated points to "buy" food, housing, clothing and recreation. Those without points initially get some "on credit", which they have to repay when their "earnings" come in; if they run out of points later they must "go on relief" and are issued without charge only minimal and unattractive food, housing and apparel. The objective is to simulate as closely as possible in the institution the outside world's achievement motivations, individual responsibility, freedom of choice, and budgeting requirements. While first undertaken at juvenile institutions, it now is being extended to prisoners in their twenties at El Reno and--with Federal research funds--at Alabama's Draper Rehabilitation Center. Where pioneered in mental hospitals it has been extended to almost all age levels, and this may follow in some prisons.[3]

The group forms of incentive and responsibility expansion consist of rewarding or depriving entire groups of inmates, such as dormitory occupants or work teams, on the basis of the individual behavior of all its members. This is frequently done through promoting competition between groups for a limited number of awards, but it can also be done for each group separately, on the basis of its meeting some specified standard. Such practices of group rewards and penalties shift from staff to inmate peers the responsibility to see that no inmate shirks his tasks or otherwise misbehaves. The unit's staff often acquire the role of coach or fellow team-member in relation to the inmates, helping their unit get benefits (this is similar to frequent practices in military training).

Group incentives are usually applied to a unit's housekeeping, but may also extend to other work, to schooling, and to a group's avoidance of individual disciplinary reports. One staff problem with these group motivation methods is that of seeing that the inmate pressure on those who impair the group's performance record does not become physically violent or otherwise excessive. Group motivation techniques sometimes convert a dormitory or cellhouse of the most aggressive "troublemakers" into the unit working hardest to win awards of extra hours, food, television, etc. This points to another administrative problem with both group and individual motivation techniques: that of keeping many sources of inmate pleasure--movies, television, desserts, extra hours, etc.--undistributed in routine operations, so that they may be valued as special rewards.

Many object to these special incentive procedures on moralistic grounds. Some staff argue that if inmates do not take advantage of school and vocational training opportunities made available to them, that is their problem. They argue that the State's obligation ends when it gives prisoners a chance to improve themselves. Inmates argue that anything the State provides in the way of pleasures for prisoners should be equally available to all, and that the incentive systems for behavioral modification treat them like children (or more accurately, like trained rats in a psychologist's experiments). From a public interest standpoint, neither of these arguments is relevant: what is important is whether or not these systems work. There has not been adequate long-run follow-up of these methods to assess their recidivism reduction value, but there has been considerable evidence that they accelerate prison education and improve conformity of inmates to institutional behavior standards. California prisons might benefit from greatly improved inmate incentive and responsibility systems, preferably initiated as well-planned controlled experiments to test their long-run rehabilitative value.

III. PRISON AND THE COMMUNITY

Making prisons more permeable to outsiders has been a slow but steady trend for several decades in California and elsewhere. This development reduces isolation of inmates from the outside world, thus diminishing their social and psychological difficulties on reentry into the community. Current and proposed increases in outside visitors to prisons suggests completion of a cycle in American prison history, possibly including a return to early patterns, subsequently abolished.

The Pennsylvania prisons of the early nineteenth century were distinguished by a visitors' society of prominent and pious men, seeking to persuade the offenders to be penitent. Subsequently, prison visiting declined and a more exploitative management, throughout the United States, brought manufacturers into the prisons to employ the inmates. The manufacturer paid the State a fee for this, with the inmates receiving little or nothing. It was only during the Great Depression of the 1930s that objection to criminals in prison working, when non-criminals outside were involuntarily unemployed, led to pressure from both business and labor to ban prison-made goods from public commerce. Federal legislation barring them from interstate commerce still stands and there are similar laws in most states.

In the years since World War II there has been an increase in prison visiting by representatives of religious organizations, self-help groups (e.g., Alcoholics Anonymous), hobby organizations (e.g. bridge clubs, Toastmasters) and service clubs (e.g., Jaycees, Kiwanis). All of these efforts reduce the isolation of prisoners from the outside world and give many of them contacts after release which launch their socialization into a non-criminal world. These revivals of prison visiting societies exist in California as elsewhere, and their growth should be encouraged. Even more impressive is the growth of family visiting, which California is the second State to adopt. It has long been used in Mississippi, but in a more purely conjugal form, rather then California's complete family visiting arrangements.

What could bring the cycle completely back to early practices is the proposal that private corporations contract to run prison industries, remedial education and vocational training. The prison industries suggestions include payment by the firms of wages comparable to those in their outside plants, with union membership and seniority rights. The State would then charge the inmates custodial costs and possibly require an approved allocation of most remaining earnings during imprisonment to savings and/or to dependents. Firms would obtain space, tax benefits or other inducements to participate in such undertakings.

The contracted education and vocational training arrangements are modeled on Jobs Corps and other anti-poverty enterprises, some of which already have been extended into prisons. These include performance contracting, in which the firm is paid only for the increments in test performance which result from its efforts.

All such proposals may seem far-fetched in the present climate of unemployment and business recession. Assuming prosperity returns during the 1970s, however, and that reduction of U.S. military commitments increases government attention to domestic problems, it is reasonable to consider these types of entry into prisons work by outside agencies. To permit industrial contracting, legislation may be necessary to modify existing restrictions on sale of prison-made goods, but contractor factories could be constructed adjacent to prisons and employment of inmates be administered as work release. In any case, California could explore possibilities of contracting with outside firms to augment the rehabilitative effectiveness of industries, education and vocational training during imprisonment.

IV. RELEASE FROM PRISON

Graduating release from imprisonment is a long-term trend which has remarkably *accelerated in the past decade* and will probably grow even more rapidly in the 1970s. This began with growth in the proportion of prisoners released by parole instead of by discharge at prison, a trend in which California has long led most other states. It was accelerated by extension of work release to a large proportion of felony prisoners. This was begun in 1961 by North Carolina, and was highly publicized. It has been adopted by many other states--including California--in the ensuing years, and since 1955, by the Federal prisons.

As discussed in some detail in the preceding chapter, the most effective and complete graduation of release from prison is achieved by community correction centers in the community of a prisoner's destination upon release, to which he may be transferred a few weeks or months before his parole. These facilities already are firmly established as a routine part of the Federal prison system, they are approaching this status in the District of Columbia as well as in several state systems, and they are rapidly growing in others. It seems certain that during the 1970s community correction centers will become an intrinsic part of most penal systems in states with large metropolitan areas. Although California has already established some community correctional centers, *the State should plan now for the steady expansion of such correction centers in all of its major communities*.

V. PROGRAM EVALUATION

Routinization of rehabilitation evaluation has been heralded for many years, but has been slow in development. One of several major reasons for this slow growth is the pursuit of police, judicial and correctional tasks by numerous separate agencies, many in different geographical units of government.[4] Evaluation of the rehabilitative effectiveness of any agency requires the long-run follow-up of its cases through the records of other agencies that may handle them subsequently, but each agency tends to evaluate itself only by its performance with offenders during the period when they are under that agency's control. Thus prisons have been slow in evaluating their programs by the post-release behavior of their inmates. When this evaluation has occurred it has usually been on a special project basis, at high cost and for relatively small samples and short periods, rather than on a routine bookkeeping basis for all cases.

Improved and more unified electronic data processing of criminal records has been heavily subsidized by the Federal government in recent years, primarily through the Law Enforcement Assistance Administration in such programs as Project SEARCH. While this effort has given highest priority to accelerating retrieval of individual criminal records for police purposes, its potential for tabulating criminal career statistics for evaluation of legislative, judicial and correctional efforts at crime control is quite evident. Even when limited to the information included in FBI "rap sheets", such a system could readily tabulate many correlates of percent of time reconfined[5] for felons released in a past year. This could provide such information as percent of time reconfined during the three years following release, for example, of narcotic addicts civilly committed to a state rehabilitation center as compared with narcotic addicts sentenced to prison, or of any specific offense group (burglars, robbers, rapists, etc.) given probation as compared with the same offense group sentenced to prison, and with each comparison tabulated separately for persons in the same category of age, criminal record, county of commitment, ethnicity or time confined before release.

The foregoing types of routine tabulation would be tremendously useful to legislatures, courts and parole boards, as well as to prisons. Data more specifically relevant to guiding prison policies would accrue if this unified and computerized criminal record information were linked with routinely coded data on prison assignment and performance. As indicated in the preceding chapter, if institution case records were prepared in a largely precoded form, statistical information on prison treatment and performance would accumulate automatically, and many treatment personnel could then deal more with people and less with paper. Linkage of such precoded prison data with subsequent criminal record information would permit tabulations of percent of time reconfined during the three years after release of inmates, for example, those assigned to prison industries as compared to those assigned to full-time school or to those placed on farms or in forestry camps, and with each comparison tabulated separately for inmates in the same category of age, prior institutional confinement, criminal record, educational background and outside work experience. Such routine tabulations would be of tremendous value for the guidance of classification decisions and for allocation of prison funds to appropriate programs.

The Bureau of Criminal Statistics in California's Department of Justice has long held national leadership in the unified collection of criminal record information. There has been much close collaboration between the Department of Corrections and the Bureau of Criminal Statistics in some types of tabulation, but it has not yet been adequately extended to comparisons of percent of time reconfined for similar offenders committed to different types of agency, or of such offenders given different treatment within any agency. Evaluative research in California has for too long been pursued autonomously by the Department of Corrections, Department of the Youth Authority, and the Bureau of Criminal Statistics, with the latter much too uninvolved in the tabulations needed to guide correctional policy. This has resulted in wasting resources and diminishing the usefulness of evaluative statistics.

It is urged that the State consider:

1. that California's Department of Corrections, Department of the Youth Authority and Bureau of Criminal Statistics unify their tabulations of statistics for the evaluation of correctional policies, including sentencing and parole policies;

2. that the resulting tabulations use a criterion of percent of time reconfined, and convert its findings to estimates of the relative long-run costs and effectiveness of alternative policies.

3. that the Department of Corrections develop precoded case record forms to serve simultaneously both operational requirements and evaluative needs, and that information from these forms be integrated with unified evaluative statistics from the preceding recommendations.

FOOTNOTES

[1] Clarence Schrag, "Some Foundations for a Theory of Correction", in Donald R. Cressey, (ed.) The Prison, (New York: Holt, Rinehart and Winton, 1961), p. 337.

[2] For further discussion see: Daniel Glaser, The Effectiveness of a Prison and Parole System, Revised Edition, (Indianapolis: Bobbs-Merrill, 1969), Chapter 8; Charles R. Hagan and Charles F. Campbell, "Team Classification in Federal Institutions", Federal Probation, Vol. 32, No. 2 (March 1968), pp. 30-5.

[3] See: Teodoro Ayllon and Nathan Azrin, The Token Economy: A Motivational System for Therapy and Rehabilitation, (New York: Appleton-Century-Crofts, 1968).

[4] For other factors in this slow growth see: Peter G. Garabedian, "Research and Practice in Planning Correctional Change", Crime and Delinquency, Vol. 17, No. 1 (New York: National Council on Crime and Delinquency, January 1971), pp. 41-56.

[5] Advantages of this measure as a statistical index of rehabilitation, especially as a basis for cost-effectiveness estimation, are discussed briefly in Daniel Glaser, "Five Practical Research Suggestions for Correctional Administrators", Crime and Delinquency, Vol. 17, No. 1 (New York: National Council on Crime and Delinquency, January 1971), pp. 32-40, especially pp. 33-4.

CHAPTER V

A MODEL FOR PRISON OPERATIONS

General principles that constitute an abstract model for guidance of prison operations are presented in this chapter as one way of summarizing the implications of this Report.

I. GOALS AND OBJECTIVES

The primary mission of corrections, which it shares with law enforcement, is to reduce crime. The specific goals of prisons are incapacitation, deterrence, and rehabilitation. Prisons contribute to crime reduction if the confinement they impose incapacitates persons who otherwise would commit serious crime, and if rehabilitation occurs during confinement. Deterrence is achieved more by certainty than by severity of penalties beyond a minimum severity already exceeded in most prison cases through concern with incapacitation. Therefore, reduction of crime by deterrence depends more on the efficacy of the police and the courts than on prisons. Incapacitation is much more readily achieved than rehabilitation, and the necessity for incapacitation is determined by the extent of failure in rehabilitation. Therefore, the primary problem confronting prison management is that of increasing rehabilitation.

Two major constraints affect the pursuit of prison goals, the need to be humane and the need to be economical. Prisons must necessarily restrain the liberty of those deemed likely to commit serious crimes in the community. Any further restraint of a prisoner's rights to individual dignity and autonomy must be imposed only to the extent that is absolutely necessary to assure the rights and security of others, in and out of prison.

The need to be economical should first be balanced against the need to provide decent and humane living conditions and sustenance. After this minimal level, economy should ultimately be guided by an estimate of the total social costs of alternative policies that affect rates of rehabilitation. Every thousand dollars spent for rehabilitative services per prisoner per year should be weighed against the best available evidence that research can provide on the extent to which this expenditure will, in the long run, achieve a thousand dollars worth of social benefits. One should evaluate rehabilitation expenditures by estimating how much they:

1. reduce the time necessary to incapacitate prisoners;
2. increase the prisoners' employability and payment of taxes after release;
3. reduce the total social costs of crimes to victims, and the cost of law enforcement, adjudication, and incarceration, through reducing recidivism;

4. reduce the public's cost in supporting the dependents of prisoners, and the social and psychological harm done to these dependents by imprisonment of family heads or their spouses.

II. FUNCTIONS

The functions of prisons, to achieve the goals and objectives outlined above are:

1. To restrict the freedom of inmates by physical barriers and surveillance whenever these are necessary for reasonable assurance that a prisoner will not escape or endanger prison order, but to employ no closer degree of custody than this minimum necessity, and to maintain security by engendering and recognizing trustworthiness whenever possible.
2. To make the reception, diagnostic and orientation process for newly admitted prisoners contribute to rehabilitation by continually following up cases to check on the relevance of reception reports and recommendations, and by making the duration of the reception process no longer than necessary.
3. To operate prison schools so that they provide:
    a. individualized instruction that maximizes each prisoner's rate of learning, while constructively taking into account the inmate's prior educational experience, his personal characteristics, and his cultural background;
    b. both tangible rewards and, where possible, widely acceptable credits and diplomas, to an extent that is contingent on the student's educational progress in prison;
    c. group relationships among students and teachers that promote a climate of learning for all;
    d. the foregoing in either full or part-time study, for all prisoners.
4. To provide vocational training for inmates in all fields in which their post-release employment or subsidized training opportunities would be significantly increased by the amount of such education that can readily be completed during their minimum probable term of imprisonment, and to provide it in the manner specified by the preceding statement on prison schools.
5. To make all the work of prison maintenance and industries a part of vocational training programs wherever this is both feasible and compatible with the preceding statement on vocational training.

6. To collect, analyze and disseminate regularly information on the post-release utilization of prison education and training.

7. To assign inmates as quickly as possible to the programs which contribute most to their rehabilitation.

8. To make prompt, personal counseling available to all inmates when they desire it, from a counselor who is or can readily become familiar with their individual circumstances in and out of prison, and to supplement this by group counseling whenever this seems useful for rehabilitation or for increasing inmate adjustment to prison life.

9. To assign classification, planning, and disciplinary responsibility for each inmate primarily to small committees of those staff who have most daily contact with the inmate, but include representatives of all major functional components of staff (e.g., custody, work supervision, counseling, education, etc.).

10. To provide adequate clinical psychological and psychiatric services for that minority of inmates whose mental condition clearly justifies such service.

11. To provide appropriate facilities for congregate worship and the services of qualified chaplains for inmates of all faiths at every prison.

12. To provide libraries at each institution, stocked liberally with good books appealing to a wide variety of inmate interests, and supervised--at least partly--by trained librarians.

13. To provide inmates with organized recreational activities of types conducive to legitimate use of leisure time and to participate in non-criminogenic recreational groups in the community.

14. To facilitate and encourage inmate involvement in community recreational activity, where practicable, including games, shows, and contests in prison with guests from outside, and temporary release of selected inmates for such activities in the free community.

15. To operate prison industries in a manner which simulates outside industrial working conditions as closely as possible, but is integrated in the institution's total rehabilitation effort, so that its primary objective is to provide the work experience and training which will contribute most to the post-release employment of its inmate workers.

16. To maintain custody, order and discipline among prison inmates by preventive measures, especially reducing hostility of inmates toward staff and reducing the unity of those inmates who are hostile, but including also appropriate planning, equipping, and training for staff control in any potential disturbance.

17. To encourage and facilitate inmate communication by letter, phone, and visit with all outside persons not known to be probable collaborators in crime, and to encourage especially communication with persons believed to have a rehabilitative influence.

18. To provide decent, esthetic, and--when desired by inmates or required by management--private accommodations for inmates, with inmate involvement in the decoration and arrangement of their housing within acceptable limits from the standpoints of cost, taste, and security.

19. To promote staff-inmate collaboration in decisions on prison life and friendly personal relationships between staff and inmates, as long as this is compatible with essential standards of staff service, fairness and control.

20. To recruit and continually train competent employees for all required staff functions.

21. To provide all inmates with the medical and dental care necessary to keep them in good health and to correct any of their remediable physical defects or handicaps.

22. To serve nourishing and palatable food to all inmates in an attractive manner and setting.

23. To employ an automated management information system yielding both descriptive and evaluative statistics on inmate and staff characteristics and activities.

24. To evaluate treatment programs and policies by controlled experiments wherever possible.

25. To issue clear administrative guidelines delineating the responsibilities of all units and positions in as simple and precise a manner as possible.

26. To graduate the release process by maximum development of community correctional centers as well as by work release and furloughs.